

5 of 5

Some men see things
As they are
And say, why.

I dream things
That never were
And say why not.

Robert Kennedy

This book is dedicated to Lillian Castellano.

She went in close and stayed there and sent
us signals.

Senator Robert F. Kennedy had just won the California Primary and made his pleasant victory speech in the ballroom. There was an overflow crowd in the ballroom directly below and he was to go down and make an appearance but it was after twelve and that made it after three on the east coast. There were a lot of people waiting so he would go to the temporary press room first. The television cameras were set up there just through the kitchen.

Assistant Maitre de Carl Uecker grabbed the Senator's hand and pulled him down a short ramp and through the swinging doors into the pantry corridor that goes directly through two more doors into the temporary press room. The corridor was crowded and a lot of balloons were being exploded in the ballroom.

With his body guards right behind him, Kennedy stopped to shake a kitchen worker's hand. Uecker got his hand again and started to pull him through the crowd. Then, another hand shake and Uecker started his pull again.

To their right and against the wall was an ice machine and a tray stacker. Sirhan was standing on the lowest crossmember of the tray stacker. This gave him four or five inches of elevation. Next to Sirhan was a dark, good-looking woman in a polka dot dress.

Sirhan moved quickly across in front of Uecker and, to get a clear shot at Kennedy, leaned on a steam table and started shooting around Uecker. Kennedy was the distance of two arms from Sirhan.

As Kennedy went down his hand slipped out of Uecker's and Uecker put Sirhan in a head lock with his right arm and started pounding

Sirhan's gun hand on the steam table with his left hand. This, after Sirhan had gotten off two shots. The remaining six shots were squeezed off while Uecker was wrestling him and hammering his gun hand against the steam table.

Bullets were taken out of five other people hit in the pantry.

As you read Carl Uecker's grand jury testimony keep in mind he was present at the killing and the testimony was taken only two days after the fact and everyone's memories were fresh. He will be contradicted later by someone who was not present.

1 A Right, yes.

2 Q And I am referring to what is labeled
3 "Stage Anteroom" and the area where the serving tables
4 are located. You call that area -- it's --

5 A Pantry.

6 Q Pantry.

7 A Embassy pantry, yes.

8 Q Now, were you in the area of the pantry
9 when Senator Kennedy came into that location sometime
10 after 12:00 midnight?

11 A Yes. I took Mr. Kennedy from the stage
12 into this area by my left hand.

13 Q By your left hand?

14 A Holding him on his right hand.

15 Q You kind of escorted him then?

16 A Right.

17 Q Did you go from the stage through the doors
18 immediately to the north of the stage?

19 A To the north, right.

20 Q And you went through the hallway toward
21 the pantry, is that correct?

22 A Right.

23 Q And did you proceed with Senator Kennedy
24 through the swinging double doors?

25 A Right. I was leading him through. I went
26 first, and he was right behind me.

1 Q Were there a number of people behind you
2 at that time?

3 A Yes. People were following us.

4 Q Were there people inside the pantry area
5 when you led Senator Kennedy through there?

6 A I didn't -- except Mr. Uno Timanson, I
7 didn't see anybody else.

8 Q Were the press and reporters and
9 photographers there at that time?

10 A Not at the time, I didn't see anybody.

11 Q Then you proceeded into the pantry area,
12 is that right?

13 A Right.

14 Q What happened after you got there?

15 A After I got -- let me show you -- I --

16 THE FOREMAN: Would you keep --

17 THE WITNESS: Right after we came through the
18 sliding doors, he got loose of my hand and shook hands
19 with somebody around here, in this area (indicating) --

20 MR. FUKUTO: May I --

21 THE WITNESS: -- before it goes into the kitchen --
22 it must have been right here.

23 MR. FUKUTO: May I make that K-1, Mr. Foreman?

24 THE WITNESS: Yes.

25 THE FOREMAN: Here, do you want to mark --

26 MR. FUKUTO: With a blue pencil. All right.

1 Q That's where Mr. Kennedy got loose from
2 your hand, and he shook hands with some individual, is
3 that right?

4 A Right.

5 Q Where were you at that time?

6 A I was standing right in front of him. He
7 was on the left side --

8 Q Then what happened after that?

9 A After he finished shaking hand with one
10 of the kitchen people there, with one of the dishwashers,
11 I took his hand again, and we went few steps farther
12 until we got on this corner here, where we have the
13 heaters, the steam -- the steam heaters.

14 Q Those are tables that keep the food warm?

15 A Right.

16 Q And are there three of them there in that
17 pantry?

18 A Three, right.

19 Q And they are indicated by those diagrams
20 then, is that correct?

21 A Right, yes.

22 Q And you stood right next to the place which
23 has already been marked with an "X" and the initials R.F.K.,
24 is that right?

25 A Right, yes.

26 Q Slightly to the right of that diagram?

1 A Right.

2 Q What happened then?

3 A He got loose of my hand again and shook
4 hands again with one of the dishwashers.

5 And then I took his hand again, and while I
6 was pulling him, I was trying to get -- because too many
7 people came behind us at that time.

8 Mr. Uno was in front of us -- Mr. Timanson --
9 and he was calling, waving over, and I was trying to get as
10 fast through the kitchen area there, through the pantry, as
11 I could.

12 And while I was holding his hand, I was
13 turning to my right towards -- to the Colonial Room where
14 the press room was.

15 At the time something rushed on my right
16 side. I -- at that time I didn't recognize what it was,
17 and I saw some paper flying. I don't even remember what
18 it was, paper or white pieces of things.

19 Then I heard the first shot and the second
20 shot right after that, and Mr. Kennedy fall out of my hand.
21 I lost his hand.

22 I looked for him, and I saw him falling down.
23 And I turned around again, and I saw the man
24 right standing next to me.

25 The arm, was holding the gun in, push the
26 arm down on towards the steam heater, and my right arm I

1 took around his neck as tight as I could, and pressing him
2 against the steam heater.

3 In the meantime, somebody else came behind
4 me and pushed me against the steam heater. The guy in
5 front of me couldn't get loose.

6 While I was holding the hand where he had
7 the gun in, I was trying to get the point of the gun as
8 far as I could away from the part where Mr. Kennedy was
9 laying.

10 From the left side, I was trying to push
11 the gun away to the right side where I didn't see too many
12 people, while he was still shooting.

13 Q Up to that point, do you remember how many
14 shots you heard?

15 A I couldn't heard too clearly, but I thought
16 it was five or six, but I was hitting his hand on the steam
17 heater as hard as I could, with my left hand, I had him
18 right here on the wrist, and hitting my left hand on the
19 heater to get rid of the gun.

20 Q He has his gun in his right hand?

21 A In his right hand, yes.

22 Q And you grabbed him with your left hand?

23 A The left hand, yes, and had the right arm
24 around his neck.

25 I was standing there and he was shooting,
26 and I could feel when he was turning his hand towards the

1 crowd, that's why I pushed all over the steam table as
2 far as I could, to almost to the end of the steam table.

3 Q Let me back up and go back.

4 You could feel his hand with the gun in it
5 turning, trying to turn the gun toward the crowd?

6 A Towards the crowd or towards me, I don't
7 know.

8 Q You kept pushing it away?

9 A Pushing it away.

10 Q On the steam table?

11 A Right.

12 Q I think you can take your seat again, Mr.
13 Uecker.

14 (Whereupon the witness resumed his place
15 on the witness stand.)

16 Q Were you able at that time, after that, to
17 grab him and keep him?

18 A I kept him all the time.

19 Q Did some other people --

20 A Until the gun was -- must have been empty,
21 and I was still hollering, "Get his gun, get his gun."

22 And finally, after I didn't hear no more
23 shots, many people I -- was around by that time; I don't
24 know how many people because I was facing the wall.

25 The people behind me were pushing me against
26 the steam table and I had -- still was holding on to him.

1 And then I saw some hands coming over,
2 reaching for the gun. I don't know who it was.

3 In the meantime, in between, I looked over
4 my left shoulder and saw my partner, Eddie Minasian, and
5 hollered to him, "Get the police, get the police."

6 I saw him running off, taking off through
7 the people. They were standing on the left side.

8 Q About how many shots did you hear
9 altogether?

10 A I couldn't swear on it, but I think it was --
11 there was six shots -- six -- could be seven.

12 While I was hitting his hand on the steam
13 heater, there was noise, too, you know.

14 Q Before you grabbed his arm or his hand with
15 the gun, had the gun been shot before that?

16 A Yes.

17 Q About how many times did that gun go off
18 before that?

19 A Twice.

20 Q Twice that you know?

21 A I must have grabbed the arm by the third
22 shot.

23 Q Now, were you just going to escort Senator
24 Kennedy through the kitchen to some other place?

25 A Yes, towards the Colonial Room, which is --
26 supposed to be right here behind this here (indicating).

1 Q The Colonial Room --

2 A The news room, right here.

3 Q That would be to the east of the pantry

4 where you were, is that correct?

5 A Right, yes.

6 Q You were passing him through when the

7 shooting took place?

8 A Through there, yes.

9 Q You see the exhibit there in front of you

10 which has been marked Grand Jury Exhibits 3-A and 3-B, sir?

11 A Yes.

12 Q Is that the man --

13 A Yes.

14 Q -- you grabbed?

15 A Definitely is.

16 Q He is the one that was doing the shooting?

17 A Right.

18 Q I show you what has been marked Grand Jury

19 Exhibit 2-A. Do you recognize anybody in that photograph?

20 A Yes. Mr. Uno Timanson, here on the left --

21 he was not standing there before. He was standing farther

22 towards the Colonial Room, or to the east.

23 He must have come, run over here towards --

24 to see.

25 Q And do you see yourself in that photograph?

26 A Yes. I'm right here.

1 Q And someone has already put your name on,
2 where you are, is that right?

3 A Right, yes.

4 Q And there is someone against the table there
5 on the table with a number of people grabbing towards what
6 appears to be an arm or a hand there, is that right?

7 A That's right.

8 It's what I said before, I was holding on
9 to him, and people were trying to get hold of the gun, right.

10 Q Okay. That is the gun that everyone is
11 reaching for then in that photograph?

12 A Right.

13 Q I will show you the gun that has been marked
14 Grand Jury Exhibit Number 7.

15 How does this compare with the gun that
16 this person, pictured in these photographs, 3-A and 3-B,
17 had?

18 A I don't know too much about guns, but I
19 think it was about this size. It wasn't bigger than
20 that (indicating).

21 Q Did it look like that gun as far as you
22 can tell?

23 A I think so. Yes, it was not bigger. The
24 gun was not bigger than this one.

25 Q I understand, you can't say it's the same
26 gun?

1 A I couldn't tell you it was the same gun
2 because I was too busy to keep him in my headlock.

3 Q Did you find out or did you see other
4 people that were shot or injured besides Senator Kennedy?

5 A Yes.

6 While I was holding the right arm from the
7 shooter, I looked to the left, and while he was shooting
8 still, I saw some more people falling down.

9 But I wasn't sure they were shot or they
10 just bent down to get away from the -- from the shots.

11 Q After the shooting stopped --

12 A I couldn't tell you.

13 Q After the shooting stopped completely, did
14 you see some other people bleeding or injured besides
15 Senator Kennedy?

16 A No, I did not.

17 MR. FUKUTO: That's all I have.

18 THE FOREMAN: Mrs. Meyers has a question.

19 Q BY MR. FUKUTO: How far was the suspect --
20 by "suspect," I mean the person that you finally caught
21 pictured in those photographs that you identified -- how
22 far was the suspect at the time -- start over.

23 How far was the suspect from Senator
24 Kennedy and yourself at the time that the first shot took
25 place?

26 A How far? As far as my left hand can reach

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1 because I remember I was trying to pull him, and the man
2 who shot, I could feel him coming around me and falling
3 over the steam table and start shooting.

4 Q You indicated that you had Senator Kennedy
5 in your left hand?

6 A Right.

7 Q You had his right hand with your left hand?

8 A Right.

9 Q And you were directing him across the pantry
10 toward the Colonial Room, is that right?

11 A Right.

12 Q And you indicated something rushed past you.
13 Was that a person that rushed past you?

14 A On the right side?

15 Q Yes.

16 A Yes, it was the one who shot.

17 Q Okay. He rushed right past you and did he
18 reach over you at the time he shot?

19 A He reached over in front of me.

20 Q And he reached over from --

21 A Not over me. He just -- I could feel when
22 he -- I was right close to the steam table when we pass
23 through, and I guess I could feel that the gun was about
24 this far, when he shot, right from me, from my right.

25 Q Your body was in between this person's
26 body and --

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1 A -- and Senator Kennedy.

2 Q And his arm reached over your body when he
3 fired --

4 A Around me, around me, not over me.

5 MR. FUKUTO: Around you.

6 Any other questions?

7 Q Was there a previous arrangement for you
8 to escort Senator Kennedy to the Colonial Room?

9 A No. As much as I know, he was supposed
10 to -- the first plan was that he was supposed to go
11 downstairs, the next floor, the next ballroom where we
12 had the -- the other people which couldn't come into the
13 Embassy Ballroom.

14 And we had about fifteen or eighteen hundred
15 people in there, and he was supposed to make a speech over
16 there.

17 And their minds were changed at the last --
18 the last minute.

19 When I came out, I just remember that
20 somebody told me, "Turn to your right. Bring towards the
21 Colonial Room."

22 Q Someone told you to do that?

23 A Yes, somebody told me. I think it was Mr.
24 Uno Timanson.

25 Q Did you notice this person before this
26 shooting took place --

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Q Was there a second party on that level?

A Yes, sir, because of -- the fire inspectors were there and they told everyone that the number of people were going to be limited into the Embassy Room.

So consequently, they also made arrangements to have the Ambassador Ballroom available for additional people, and the Senator --

Q That's fine. Pardon me. I didn't mean to interrupt.

Was there a change of plans at the last minute?

A Yes, sir.

Q Were you directed to escort the Senator somewhere else?

A Yes, sir.

Q Where was that, sir?

A To the working news room, which was called -- at that hotel it's the Colonial Room, but they changed it into a working press room.

Q Going to that diagram, would you take the marker --

THE FOREMAN: Right here.

Q BY MR. HOWARD: -- which is hanging -- will you describe on that to us what happened when the Senator left? Did you start out through a back --

A Well, we came in through here and he made

1 the speech, and there were some curtains drawn here and
2 the stage was extended out, and I was led to believe that --
3 and understand we were going to go out this door and we
4 were going to turn left, to go down.

5 Instead, it seemed to me there was a
6 suggestion with several other people about going into the
7 news room for an interview. Because of the lateness of
8 the hour, they wanted to get some film back to -- to the
9 East.

10 So the last minute -- it couldn't have
11 lasted more than ten seconds or so -- decided to turn
12 right -- the whole party, the Kennedy party decided to go
13 to the Colonial Room at this time.

14 And we proceeded through this area --

15 THE FOREMAN: Can you speak just a little louder?

16 THE WITNESS: Yes. Shall I continue?

17 Q BY MR. HOWARD: Real loud, please.

18 You went through a door we have designated
19 as S-2?

20 A Right.

21 Q The party did. You proceeded then down
22 toward the area that is marked Serving Kitchen on the
23 diagram; is that a fair statement?

24 A That's correct, sir.

25 Q Did something happen in this general area?

26 A Yes, sir.

1 I was walking, possibly no more than two
2 feet in front of the Senator, on his right-hand side, and
3 Karl Uecker was approximately in the same distance on the
4 left-hand side of the Senator.

5 And as we were walking forward, and just as
6 we reached the serving table section here, the steam
7 tables, on the Senator's left there was several hotel
8 employees standing in this area, and the Senator noticed
9 them and he stopped to shake hands.

10 He turned to his left, and I proceeded to
11 take an extra step or two, and I felt that he wasn't as
12 close as I -- as he was when we started walking.

13 And I turned my head to the left again, and
14 I took a step back towards him to stay a little closer to
15 him -- and Karl Uecker did the same thing -- and it seemed
16 to me just at that precise moment that I turned to my left,
17 out of the side vision, my peripheral vision, I noticed
18 someone dart out from this area, dart out and lean against
19 the steam table.

20 And I saw a hand extended with a revolver,
21 and I saw the explosion of the cartridges out of the --
22 out of a revolver.

23 Q May I ask this: this person was a male,
24 was he not?

25 A Yes, sir, he was.

26 Q And did he move quickly to a position close

1 to the Senator?

2 A Yes, he did.

3 Q When the hand was extended, was the gun
4 pointed toward the Senator?

5 A Yes, sir.

6 Q To what portion of the Senator's body?
7 Could you tell that?

8 A Well, he had -- I would say the revolver
9 was at the suspect's shoulder height.

10 Q The suspect was holding the gun shoulder
11 height?

12 A Right.

13 Q Pointed at what, at the Senator's --

14 A I would -- well --

15 Q Could you tell?

16 A I couldn't tell.

17 Q Could you tell how close to the Senator the
18 barrel of that gun would be?

19 A Approximately three feet.

20 Q Was there one shot at this time or more
21 than one shot?

22 A There were two shots and -- I heard two
23 shots.

24 Q Describe --

25 A They were very, very deliberate shots.
26 There was just a slight pause.

1 It was a bang-bang cadence, and after the
2 second shot, why, as I said, I saw the flash of the
3 cartridges being discharged, and immediately there were
4 several other people in that area behind the Senator, and
5 I just pushed into Karl Uecker.

6 And he -- we both made an attempt to get at
7 the hand holding the gun, and we had him -- I was down
8 low, pushing up against him.

9 And at that same time I turned to my left
10 and I saw -- well, there were some more wild type firing
11 which was a more rapid fire than the first two, as they
12 were struggling for the gun. I'm sure that's why the
13 gun was going off.

14 And it seemed to me that the gentleman
15 standing behind the Senator fell first.

16 And the Senator was kind of staggering a
17 little bit, and then seemed to me that that was the order
18 that they fell.

19 Q How many shots were fired in all, can you
20 tell us?

21 A Well, I -- at the time that I was questioned
22 I thought there were approximately six.

23 I thought he emptied the revolver, and
24 there were quite a few -- I know the first two were
25 deliberate, and the others came in quick spurts, so --

26 Q Were the first two or the first series,

1 we will call them -- if there were two -- was that before
2 anyone touched the suspect or the person shooting?

3 A Yes, sir.

4 Q After that, people started grabbing?

5 A Right.

6 Q And there were then shots fired after that,
7 is that correct?

8 A That's correct.

9 Q Were those shots fired in the general
10 direction of the Senator?

11 A I doubt it because the Senator at that time
12 was -- well, the suspect was shooting from this --
13 approximately this point (indicating).

14 Q That's the end of the --

15 A At the end of the table.

16 And when the Senator fell, he fell in this
17 area right here (indicating), on an angle.

18 And I don't see how he could have been
19 shooting at -- and we had him and his arm was somewhere
20 on this steam table here.

21 And I doubt if it was in the same direction
22 as the first two shots.

23 Q Now, would you return to your seat,
24 please?

25 Before we go further, let's see if we can
26 find something out. Maybe you better stay there a moment.

THE MAGIC BULLETS

(now you see them and now you don't)

One day after the shooting John Sirley and John Clemente investigated the scene. They are lay investigators to be sure but they did a better job than the professionals if investigations are to find and report facts.

Their discovery of additional bullet holes was an irritation to the official investigators but they were equal to the challenge.

The bullet holes were not bullet holes at all but punctures made by serving carts striking the surfaces.

That's not bad but it's not good enough.

Shirley and Clemente went to Mrs. Lillian Castellano with their findings. Mrs. Castellano is a noted investigator in the John Kennedy murder conspiracy. With Floyd Nelson, she went down to the Embassy ballroom and took the dimensions and drew up some diagrams and prepared an article that was published in the Los Angeles Free Press (5/23/69).

The same article was reprinted in the Midlothian Mirror, Midlothian, Texas. Penn Jones is the publisher-editor.

Lillian Castellano was already into the case and had made some exciting discoveries of her own.

AUTHENTICATION OF CLEMENTE PHOTOGRAPH OF TWO BULLET HOLES
IN
CENTER DIVIDER OF PANTRY DOORS

I, John Shirley, attest and affirm that on the morning of June 6, 1968 I accompanied John R. Clemente to the Ambassador Hotel where he took a number of photographs.

We went to the Embassy Room and then to the adjacent kitchen/service area where Robert Kennedy had been shot. In this area Mr. Clemente took several photographs including a long-shot and a close-up of the wooden jamb on the center divider between the two padded swinging doors through which Mr. Kennedy and his party had entered the service area after leaving the Embassy Room.

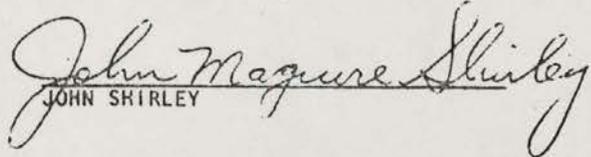
In the wooden jamb of the center divider were two bullet holes surrounded by inked circles which contained some numbers and letters.

I remember a manager pointing out those particular marked bullet holes to another person, who appeared to be a press photographer.

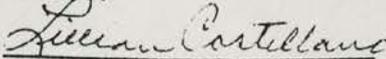
The two circled bullet holes in the photograph were between waist-high and eye-level, and I am six feet tall.

It appeared that an attempt had been made to dig the bullets out from the surface. However, the center divider jamb was loose, and it appeared to have been removed from the framework so that the bullets might be extracted from behind. It was then replaced but not firmly affixed.

It also appeared to me that there was evidence that another bullet had hit one of the padded swinging doors.

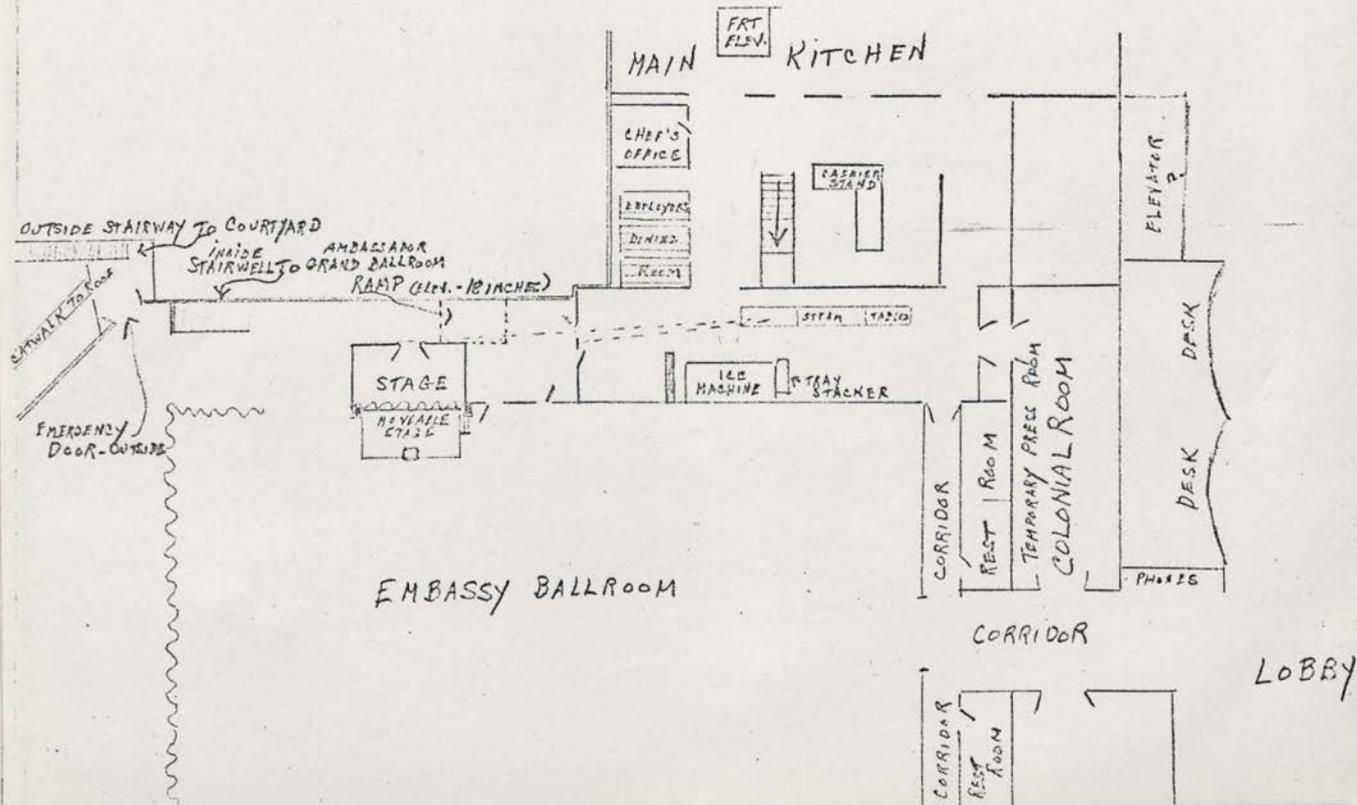
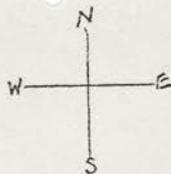

JOHN SHIRLEY

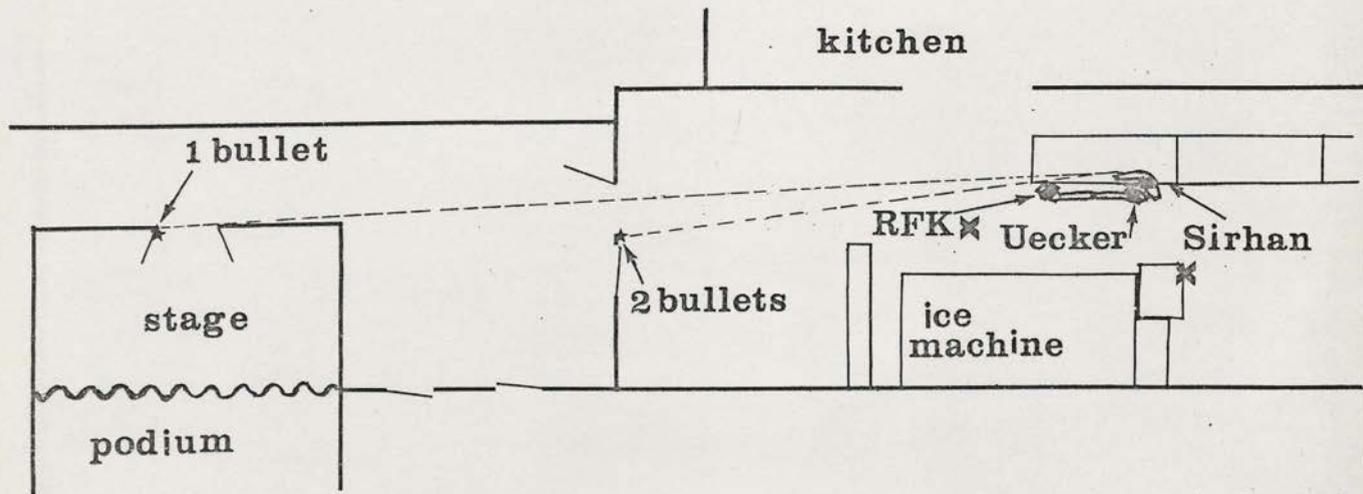
WITNESS:

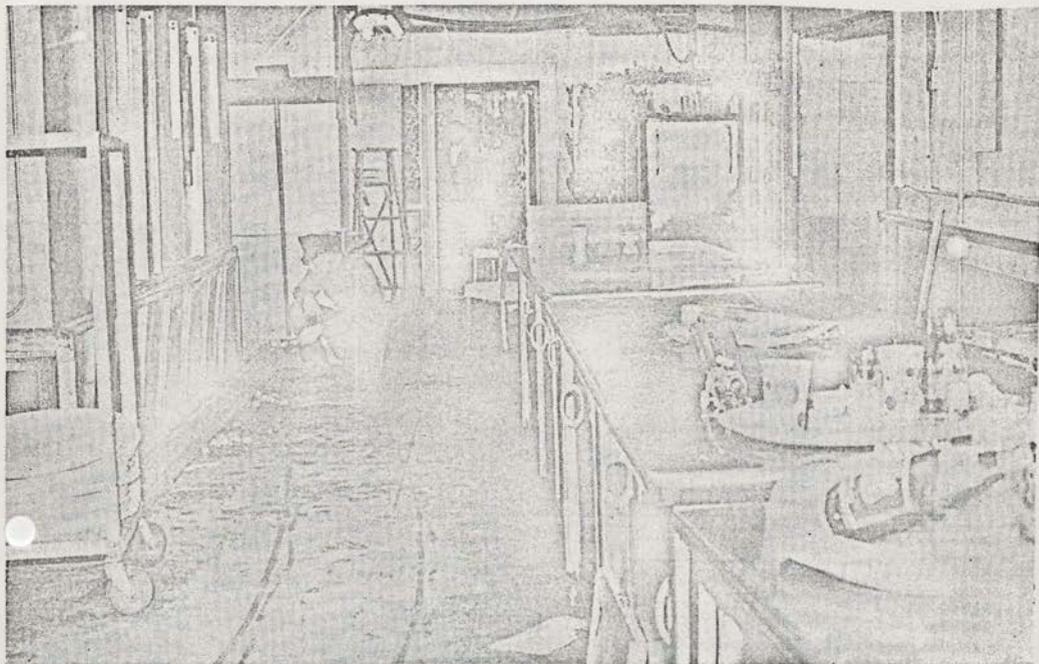


23 March, 1969

KENNEDY ASSASSINATION
TRUTH COMMITTEE
P. O. BOX 38524
L. A., CALIF.







WHERE SENATOR FELL—Officer kneels at the spot where Robert F. Kennedy was struck down after walking through door in rear.
Times photo by Gene Hackley

This photograph, evidently taken June 5, while the police were still at work in the pantry, shows the facing of the center divider to be missing. (Compare with facing on top and side of door).

This fact verifies Shirley's statement of authentication on the Clemente photograph of June 6, the following day, that: "It appeared that an attempt had been made to dig the bullets out from the surface. However, the center divider jamb was loose, and it appeared to have been removed from the framework so that the bullets might be extracted from behind. It was then replaced but not firmly affixed."

At left of picture is tray stacker stand on which, according to DiPierro, Sirhan stood waiting, with a smile on his face, next to a girl in a polka-dot dress. At right of picture is entrance to main kitchen.



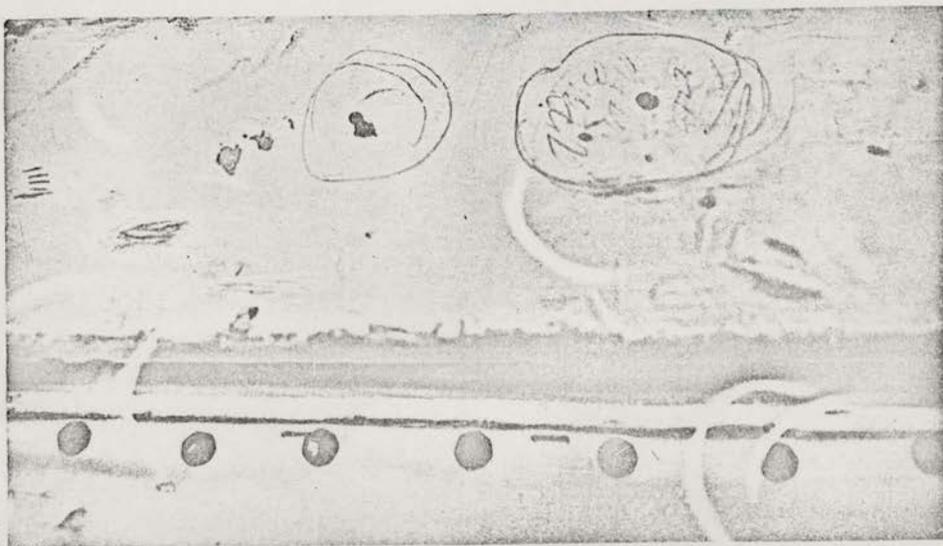
(LA 27) Los Angeles June 5, 1968

BULLET FOUND NEAR KENNEDY SHOOTING SCENE

A police technician inspects a bullet hole discovered in a door frame in a kitchen corridor of the Ambassador Hotel in Los Angeles near where Sen. Robert F. Kennedy was shot and critically wounded early today. Bullet is still in the wood.

(rhs40745str) 1968

stage Door



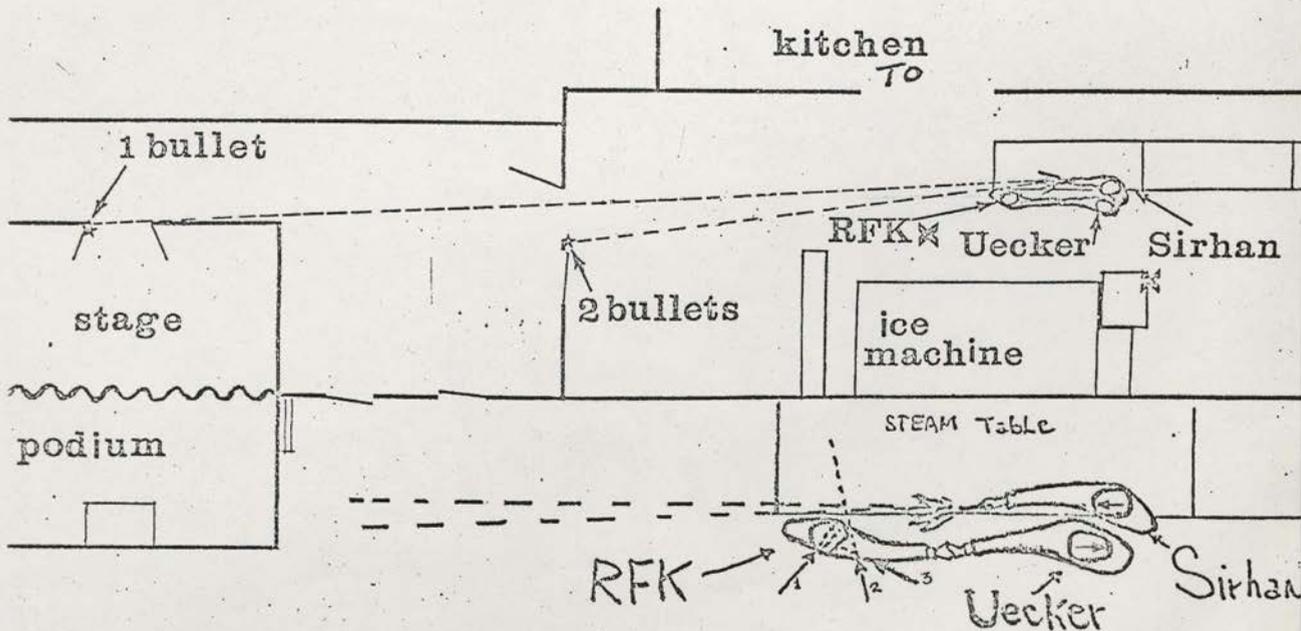
T.O.P

*CENTER DIVIDER PANTRY ROOMS
-Clemente Photo-*



The autopsy report places the gun muzzle between 1 to 6 inches from Robert Kennedy's ear and yet no one places Sirhan closer than 3 to 4 feet. They were facing each other. Yet Robert Kennedy was shot from back to front and from down to up.

The back up shooter (or shooters) was standing right behind him. If you know any policemen try to get them interested in this case.



Compliments: The Echo Park Commission on Law and Order (It is unlawful to kill a Senator and disorderly as hell.)

MMWASHINGTON NEWS BUREAU
1117 WOODBURN AVE. N.W.
WASHINGTON, D.C. 20016
METROMEDIA RADIO**AIR MAIL****MM****METROMEDIA
RADIO**

565 FIFTH AVENUE/NEW YORK, N.Y. 10017/ TEL. 212 TU 6-7000

ALAN WALDEN/NATIONAL NEWS COORDINATOR

February 7, 1969

Lillian Castellano
% Curtis, Inc.
33 South Raymond Avenue
Pasadena, California 91101

Dear Miss Castellano:

Please find enclosed a copy of the script you requested on February 3, 1969 and your check which we are returning.

Thank you for your interest. If we can be of any further assistance, please let us know.

Sincerely,

Alan R. Walden

ARW:brnd

Federal agents investigating the murder of Senator Robert Kennedy have uncovered some evidence which hints at conspiracy ...

When the accused assassin, Sirhan Sirhan was apprehended, police discovered that keys in his pocket fit a car parked a block from the hotel The car belonged to a kitchen worker at the hotel where Senator Kennedy was shot.

Reliable sources also report that the secret service had a file on this kitchen worker, and had

February 7, 1969

Lillian Castellano
% Curtis, Inc.
33 South Raymond Avenue
Pasadena, California 91101

Dear Miss Castellano:

Please find enclosed a copy of the script you requested on February 3, 1969 and your check which we are returning.

Thank you for your interest. If we can be of any further assistance, please let us know.

Sincerely,



Alan R. Walden

ARW:bmd

Federal agents investigating the murder of Senator Robert Kennedy have uncovered some evidence which hints at conspiracy ...

When the accused assassin, Sirhan Sirhan was apprehended, police discovered that keys in his pocket fit a car parked a block from the hotel The car belonged to a kitchen worker at the hotel where Senator Kennedy was shot.

Reliable sources also report that the secret service had a file on this kitchen worker, and had it been the President who was in the hotel, the secret service would have detained the man before the President ever came to town.

While the secret service had no files on Sirhan Sirhan before the Kennedy murder they did apparently consider this kitchen worker in question at least a threat to presidents.

Walter Rodgers, Metromedia News, Washington

February 1, 1969

THAT GODDAMNED KEY

When Sirhan was arrested he had on his person over four hundred dollars, a newspaper clipping about the Jack Kirschke case, two unused .22 shells, a piece of paper with a Kennedy campaign song, "This Man is Your Man" printed on it and a key to a Chrysler.

His wallet, identification papers and car keys he had locked in his own car, a DeSoto.

The switch key to a '59 Chrysler also locks the doors. This test was not conducted.

Why would Lieutenant Houghton change the name Gendroz to Cortez in his book?

What are a couple of more oversights in this case, more or less?

FEDERAL BUREAU OF INVESTIGATION

1

Vol II Sec I
6-15-68Date 6/7/68

Mr. ROBERT JEAN GINDROZ, Executive Chef, Ambassador Hotel, 3400 Wilshire Boulevard, Los Angeles, California, was interviewed in his office, which is adjacent to the main kitchen of the Ambassador Hotel, during the morning of June 5, 1968, by SAs THEODORE J. A'HEARN and GILBERT G. BENJAMIN in the presence of FBI Photo Lab employee RICHARD D. FERNANDES.

Mr. GINDROZ was advised of the identities of the above personnel and that the interview was in connection with the shooting of Senator ROBERT F. KENNEDY. He indicated that officers of the Los Angeles Police Department had already talked briefly with him about the case.

Mr. GINDROZ stated that he presently resides at 2921 Briarknoll, Los Angeles, California (zip code 90046). His home telephone is 654-7180. He is a native of Switzerland; having been born January 5, 1932, in Montana, Switzerland. He is not yet a naturalized United States citizen, but hopes to become an American citizen. He has been in the United States of America for the past eleven years.

In his present position as Executive Chef of the Ambassador Hotel, he has overall charge of the procurement, preparation and service of all food in the Ambassador Hotel dining rooms.

He is married. His wife, Mrs. MARY THERESA GINDROZ, is presently a patient in Kaiser Hospital, Hollywood, California, where she is to undergo surgery. She entered the hospital on June 4, 1968.

Mr. GINDROZ owns a 1959 Chrysler sedan, with current California license plates JPT 343. He also owns a sports car, a small Sunbeam Arrow (which his wife normally drives). He said his Chrysler has over 115,000 miles on it and he is just driving it until he can take delivery on a new car. He said the Chrysler has an ignition switch which can be started by just inserting any key, or in fact for that matter even by inserting some stiff metallic object, such as a screw driver, and turning the switch.

On 6/5/68 at Los Angeles, California File # Los Angeles 56-156
by SA THEODORE J. A'HEARN and SA GILBERT G. BENJAMIN/CGB/clp - 19 - Date dictated 6/5/68

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LA 56-156

Mr. GINDROZ stated that he lost his original set of keys to the Chrysler about two and a half years ago, somewhere in the Los Angeles area. He lost his wallet and credit cards at the same time. The keys that he now has, he uses only to lock the trunk, noting again that any key will turn on the ignition switch and thus start the car. He said that he does not lock the doors.

He stated that he was having some trouble with the car on June 4, 1968, and so decided to drive it into the Standard Service Station on the southeast corner of Alexandria and Sixth Streets, Los Angeles, California, where he regularly trades. He said the telephone number at the station is DU 7-2005. He did drive it in on the morning of June 4th and left it at the above Standard Service Station to have them check it over and see what was wrong with it. He thought that it might be battery or generator trouble.

His wife drove the Sunbeam Arrow in and he took her to Kaiser Hospital and drove her car back to the hotel so that he would have it to go home in at the end of the day, if his Chrysler was not in working condition and had to stay in the shop. He said that about 1:00 p.m., on June 4, 1968, he learned telephonically from the Standard Service Station that his generator was shot and that it would be quite expensive to replace it. He decided not to repair it.

A young Swiss friend of his, Mr. DANIEL GAMBERONI, who resides at 22397 Enada Way in the San Fernando Valley area of Los Angeles, (residence telephone 807-0954), attends Woodbury College on Wilshire Boulevard in Los Angeles, dropped into the hotel kitchen after his Tuesday classes on June 4, 1968, to see if Chef GINDROZ had any extra work as he needed to make some extra money as he was planning to go back to Switzerland for a vacation in August 1968. He said Mr. GAMBERONI is married to a woman from a wealthy Mexican family, whose parents continue to live in Mexico. He has two children. He belongs to a college fraternity at Woodbury College.

When GAMBERONI came into the Ambassador on June 4, 1968, he said he had nothing to do from then (which was about

3
J.A 56-156

3:30 p.m.) until 6:00 p.m., so Mr. GINDROZ asked him if he would go over to the Standard Service Station on Sixth Street to pick up his Chrysler before the station closed for the evening. He said he told GAMBERONI not to bring the car back into the Ambassador parking lot, but to park it on the street as near to the hotel as possible. He said that he did not want it parked in the Ambassador lot because he recalled that once before when Senator KENNEDY was staying at the hotel, Mr. GINDROZ had his car blocked in the parking lot for more than thirty minutes when he was ready to go home after work. *THAN THIRTY MINUTES WHEN HE WAS READY TO GO HOME AFTER WORK.*

He said he gave GAMBERONI his Standard credit card to present at the gas station for payment of the charges to have the battery recharged.

About thirty minutes after GAMBERONI left the Ambassador kitchen, he returned and brought Mr. GINDROZ back his key ring with the three keys that had been left with the car, when he dropped it off at the Standard Station earlier. Mr. GAMBERONI told him that he had parked the car on the west side of Alexandria, facing Wilshire and the hotel, between Wilshire and Sixth Street. GINDROZ said that he had not moved the car since that time, as he had not left the hotel between that time and the present interview with him.

Chef GINDROZ said he had known DANIEL GAMBERONI almost from the time of the latter's birth. He was born of Italian parents. His older brother was Mr. GINDROZ's best friend in Switzerland. GAMBERONI and his older brother both went to the same school in Montreux, Switzerland, that GINDROZ did. They grew up together in that town. He said that from about November 1967 to December 13, 1967, GAMBERONI worked steadily in the Ambassador kitchen staff, while he was going to Cambria Adult School. Then in mid-December he went to Mexico for about a month to five or six weeks to visit his wife's family and friends. He then returned to the Los Angeles area and entered Woodbury College. He said their friendship was such that it was never necessary for GAMBERONI to have had to submit a formal application for employment at the Ambassador Hotel. Mr. GINDROZ said, "I just put him to work." GAMBERONI came to the Southern California area from Switzerland in June 1968.

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LA 56-156

Chef GINDROZ viewed two photographs of the individual identified as SIRHAN SIRHAN and stated that he does not recognize him as anyone that he had seen before, and certainly not of any former or present kitchen employees of the Ambassador Hotel. He said that he thought the individual appeared to be of Mexican-American ancestry and somewhat resembled a friend of his employed as a chef at the Gate of Spain restaurant in Santa Monica.

Mr. GINDROZ said that he could not account for a key to his Chrysler sedan being in the possession of SIRHAN. He said that if it was merely a key that would start his car, then it could have been any key because as he pointed out previously any key or even a screw driver could be used to turn the ignition switch on, and thus start the car.

Chef GINDROZ said that he personally did not see any of the shooting but two of the kitchen employees reportedly were quite close to the scene. One was ANGELO DE PIERRO, son of the Ambassador Hotel Banquet Manager, and the other was NIVA JOSHIO, who was making sandwiches near the place where Senator KENNEDY fell. JOSHIO resides at 2877 Edgehill Drive, Los Angeles (zip code 90018). His Social Security Number is 548-87-2014. His home telephone number is either RE 4-7036 or RE 4-2036 (Mr. GINDROZ said he was not sure of the entry in his personal telephone book concerning this latter number).

Mr. GINDROZ said that he personally works long hours in his job as Executive Chef, and that his having been at work from 9:00 a.m. on June 4, 1968, until past midnight was not unusual.

FEDERAL BUREAU OF INVESTIGATION

F 3647

1Date 9/24/68

Mr. ROBERT J. GINDROZ, Head Chef, Ambassador Hotel, Los Angeles, advised that all of the employees in his department, which included all of the chefs and certain administrative employees in the hotel kitchen who were on duty on June 4, 1968, and June 5, 1968, were established employees who had worked with the hotel for some period of time. No employees had been hired recently or within a reasonable short period before the shooting of Senator ROBERT F. KENNEDY.

Mr. GINDROZ said that he was not in the area where Senator KENNEDY was shot at the time of the shooting and he had no recollection of having ever seen any suspicious person in the area before the shooting.

Mr. GINDROZ, following examination of photographs of SIRHAN SIRHAN and his family, stated he had no recollection of seeing any of the persons whose photographs were shown him at any time in or around the Ambassador Hotel or otherwise.

On 9/20/68 at Los Angeles, California File # Los Angeles 56-156
- 10 -
SA LESLIE F. WARREN/cyn Date dictated 9/23/68

THE HONORABLE DOCTOR THOMAS NOGUCHI

Honors for cracking this case must forever belong to the Coroner of Los Angeles County.

Had he granted the District Attorney's request for an incomplete autopsy then all the other contradictory evidence could have been lied away, re-explained or destroyed.

His autopsy found that Kennedy took one bullet behind the right ear and two in the right armpit. One passed through his left shoulder pan. They were from right to left, back to front and from down to up. The muzzle was held one inch to five inches away.

It is simply impossible for Sirhan to be the killer.

If Sirhan was not a knowing member of the conspiracy then he can only be guilty of attempted murder, assault with a deadly weapon and discharging a firearm within the city limits.

Being a man of honor is not without its hazards. The completed autopsy was now a matter of record and available to the people. The problem now was more deadly because it was more complicated. The record could not be destroyed so they must destroy the man. Not necessarily the man's person but absolutely the man's credibility.

An absolutely incredible campaign was organized to this end.

It began with the charge that he had threatened some of his staff and took too much dope and then they really got warmed up and spun out fifty-six charges in all. They are funny reading when

you consider the fact that they were all dropped.

At this point let me assure you that Doctor Noguchi is not without his flaws. He caved in momentarily and accepted the directorship of a county hospital and resigned the coroner's job. Then, either by counsel or insight, he realized that he was allowing himself to be maneuvered into a trap. He withdrew his resignation and fought it out with them and won.

The Nisei community, remembering their lost years, came out fighting with full page ads in the Los Angeles Times in support.

With the help of a skillful and honest lawyer, Godfrey Issac, Doctor Noguchi was exonerated and vindicated. He would later watch his principal accuser dragged off to jail for posing as a doctor.

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He is also deputized medical examiner for the County of Los Angeles and he is in charge of neuropathology.

Q And Doctor, the autopsy itself was at all times under your direct supervision and control, is that correct?

A Absolutely, sir.

Q And referring you to Grand Jury Exhibit Number 4, is that a picture that was taken at your direction and under your control?

A Yes, sir.

Q That's the exhibit I heretofore showed you?

A That is true, sir.

Q Thank you, Doctor. Doctor, as a result of your examination, did you come to an opinion as to the cause of the death of Senator Kennedy?

A Yes.

Q And would you state your opinion, please?

A The cause of death was gunshot wound of the right mastoid, penetrating the brain.

Q And in your examination, Doctor, did you determine if there was more than one wound on the body of the Senator?

A Yes.

Q And would you tell us how many wounds there were?

1 A A total of three gunshot wounds, sir.

2 Q Do you mean caused by three separate
3 bullets, Doctor?

4 A Yes.

5 Q And would you describe the location of
6 the two, other than the one in the head?

7 A I'll be glad to.

8 May I at this time designate three
9 gunshot wounds as following, based on the standard
10 procedure, may I call this, the gunshot wound in the right
11 mastoid, to be Gunshot Wound Number 1, and the other two
12 gunshot wounds will be Gunshot Wound Number 2 and 3.

13 These two gunshot wounds -- before this,
14 may I also -- the number given, purely for the purpose
15 of identification; it does not intend to designate the
16 time or sequence of events.

17 And Gunshot Wound 2 was found in the back
18 of the right armpit, known as the right axilla; and the
19 Gunshot Wound 2 was also found very close, approximately --
20 it's about half inch below the Gunshot Wound Number 2.

21 Q Wait a minute, I think --

22 THE FOREMAN: He said "2" twice.

23 Q BY MR. MINER: Just rapidly, Doctor, so
24 that the Grand Jury will understand that, there were two
25 gunshot wounds in the region of the armpit, so to speak,
26 is that right?

1 A Yes.

2 Q And that was the left or right armpit?

3 A Right armpit.

4 Q In designating them, you have arbitrarily
5 called these gunshot wounds Number 2 and 3 as distinguished
6 from Gunshot Wound Number 1, which was the one in the head,
7 I take it, is that correct?

8 A That's correct.

9 Q All right. Now, as to 2 and 3, could you
10 again tell us, they were both in the armpit and they were
11 within half inch of each other, is that correct?

12 A Yes, sir.

13 Q Now, as to the characteristics of Gunshot
14 Wound Number 2, could you tell us, please, what
15 characteristics that gunshot wound had?

16 What was it; how did the bullet traverse
17 in the body, if it did?

18 A Yes, sir. Referring to the Gunshot Wound
19 Number 2, the entrance wound was found, as I mentioned,
20 in the right axilla, and it penetrated subcutaneous
21 tissue and muscle structure from right to left direction,
22 and upward, and back to front direction.

23 And the exit wound was found, the front of
24 right shoulder.

25 The total body x-ray disclosed there was
26 no injury to bony structure nor fragments of lead remained

1 in the wound track. I am referring to the Gunshot Wound
2 Number 2, sir.

3 Q Would it be correct then, Doctor, from
4 what you have told us, that the bullet that caused
5 Gunshot Wound Number 2 --

6 MR. MINER: Can you hear me? Is that all right?

7 THE GRAND JURORS: Yes.

8 Q BY MR. MINER: -- that Gunshot Wound
9 Number 2 entered the body and exited from the body, and
10 there was no part of it in the body, is that correct?

11 A That's correct, sir.

12 Q Referring you now, Doctor, to Gunshot
13 Wound Number 3, that entrance wound was, as you told us,
14 within half an inch of entrance wound Number 2?

15 A Yes.

16 Q Would you describe what happened to that
17 bullet in the body?

18 Excuse me a moment, Doctor. Go ahead,
19 Doctor.

20 A The Gunshot Wound Number 3 track was
21 traced and it indicated the direction to be from the right
22 to left and almost parallel to the wound, to the Gunshot
23 Wound Number 2 pathway.

24 However, the wound track did not penetrate
25 or did not penetrate the chest cavity but the bullet
26 continued to travel the muscle structure of the back and

1 the bullet was found lodged in the area called the sixth
2 cervical vertebra and slightly to the right.

3 Q I wonder, Doctor, if you could designate,
4 perhaps on me, so that the Jury could see, just where that
5 would be?

6 A Gunshot Wound Number 2 track was here
7 (indicating). It was -- only it was impossible for me to
8 trace the gunshot wound track straight unless I could place
9 the Senator's right arm forward (witness indicating on
10 Mr. Miner).

11 The Gunshot Wound Track Number 3 was about
12 this area and the bullet was lodged at midline, the lower
13 portion of the back of the neck.

14 MR. MINER: Thank you.

15 (Whereupon the witness resumed his place
16 on the witness stand.)

17 Q BY MR. MINER: I take it then there was no
18 exit wound for bullet wound Number 3?

19 A No, sir.

20 Q Did you in fact recover the bullet from
21 the location you just told us about?

22 A Yes.

23 Q And how did you recover the bullet, sir?

24 A I recovered the bullet by making a small
25 standard incision from the back of the neck and gently
26 retrived it and by my index finger.

1 MR. MINER: Mr. Foreman, I have here an envelope
2 marked 5-A. May this be Grand Jury Exhibit 5-A?

3 THE FOREMAN: Permission granted.

4 Q BY MR. MINER: Doctor, I show you Grand
5 Jury Exhibit 5-A, and I ask whether or not that --

6 MR. MINER: In marking that, Mr. Foreman, may the
7 envelope and its contents be marked 5-A?

8 THE FOREMAN: So ordered.

9 Q BY MR. MINER: Is the contents of 5-A the
10 bullet that you retrieved from Senator Kennedy's back?

11 Would you examine the contents, please?

12 A Yes. This is the bullet which I
13 personally retrieved from the Senator Kennedy.

14 Q And how do you know that that is the bullet
15 that you retrieved?

16 A Well, I placed my identifying mark, T.N.,
17 my initials, and last number of a Medical Examiner
18 Coroner's Case Number 68-5731; so I placed "31," -- it is
19 very clearly visible on the base of this bullet.

20 Q After you retrieved Grand Jury Exhibit 5-A
21 from Senator Kennedy's back and you marked it as you have
22 described, what did you do with Grand Jury Exhibit 5-A,
23 the bullet?

24 A After documented, I handed it to the
25 authorized detective who was present at the special
26 autopsy room and the person representing was from the

1 Los Angeles Police Department.

2 Q Would you give us the name of that officer,
3 please, or may I ask you, was that Officer or Sergeant
4 Bill Jordan of Rampart Detectives, Los Angeles Police
5 Department; is that correct?

6 A That's correct, sir.

7 Q At what time did you hand Grand Jury
8 Exhibit 5-A to Sergeant Jordan?

9 A The bullet was recovered 8:45 a.m. on
10 June the 6th, 1968, and I hand this bullet to Sergeant
11 Jordan at 8:49 a.m. of the same date, sir.

12 Q Doctor, I take it then -- or would you
13 tell us, do you have an opinion as to whether or not the
14 wounds you have designated, 2 and 3, contributed to the
15 Senator's death?

16 A As far as how significant they contributed,
17 this will depend entirely upon evaluation of fatal gunshot
18 wound.

19 Q Let me withdraw the question as phrased.
20 I think it wasn't too eloquently put. I will try it this
21 way, if I may, Doctor.

22 Do you have an opinion as to whether or
23 not Wound 2 would, by itself, have been fatal?

24 A Unlikely.

25 Q And do you have an opinion as to whether
26 Wound 3 by itself would have been fatal?

1 A Unlikely. The term I use, "unlikely,"
2 because it causes hemorrhage and the infections and so on,
3 and without proper medical treatment, this could cause
4 fatal outcome.

5 Q But in the ordinary or usual course of
6 events, in the treatment, proper medical treatment, you
7 would not regard either wound as being fatal, is that
8 correct?

9 A That's correct, sir.

10 Q Or either or both wounds in combination as
11 likely to cause death if he was properly treated, is that
12 correct?

13 A That is correct.

14 Q So that you would regard Wound Number 1
15 then as being the wound that did cause death, is that
16 right?

17 A That's correct, sir.

18 Q And would you tell us what you found
19 physiologically and anatomically with respect to Wound
20 Number 1?

21 A The Wound Number 1 was found behind the
22 right ear.

23 And the hair -- a portion of the head was
24 previously shaven for the purpose of surgery; and there
25 was -- a closed surgical suture was -- suture or an
26 incision was found on the right back portion of the head.

1 And the entrance wound of the Gunshot
2 Wound Number 1 was indeed incorporated in the area of
3 incision.

4 However, Dr. Cuneo -- I believe I have a
5 name of the -- he was a Chief Neurosurgeon and was
6 invited to point out area that prior surgical incision was
7 made so that I would be absolutely certain that was the
8 entrance wound.

9 Q I take it that Dr. Cuneo then was present
10 at a portion of the autopsy procedure, at any rate, was
11 he?

12 A Yes, sir.

13 Q All right. Go ahead, Doctor, please.
14 Sorry to have interrupted.

15 A The exact location of the gunshot wound
16 as follows:

17 Three-quarter inches from the medical --
18 medical standard landmark, which is called biauricular
19 line, that is, line starts from right ear canal to the
20 top of the head to the left ear canal, and different to
21 this line.

22 The entrance wound was found three-quarter
23 inch back of this line and also three-quarter inch above
24 the ear canal, the line or horizontal line passing through
25 the ear canal.

26 Then this -- the gunshot wound was also

1 located, measured from the top of head, which was five
2 inches from the top of head, and at two and a half inches
3 from the most posterior portion of the head.

4 Q Did the bullet -- we are talking about
5 bullet wound, or Wound Number 1, aren't we; is that correct?

6 A Yes. Yes, sir.

7 Q Was there any external evidence of Wound
8 Number 1 hitting the external portion of the ear before
9 entering the skull itself?

10 A External ear -- as far as gunshot wound is
11 concerned, there was no penetration of external ear, or
12 ear lobe.

13 However, it was a blackening discoloration,
14 indicating what we call powder tattooing and still grayish
15 black powder deposited on the surface of the edge of the
16 right ear, and this was about one inch in longest
17 dimension.

18 Q Doctor, what damage to the brain, if any,
19 was done by Bullet Wound Number 1?

20 A There was an extensive brain damage on the
21 right side of the brain, mainly the brain called
22 cerebellum, and in reference to the right lobe of the
23 cerebellum; I should probably say "right hemisphere of the
24 cerebellum."

25 There also was marked swelling of the brain
26 as well as flattening by the pressures inside of the brain

1 and causing a flattening of the brain stem.

2 Q And in your opinion, these events
3 resulting from the bullet wound are the ones that caused
4 death, is that correct?

5 A Yes, sir.

6 MR. MINER: I have no further questions of this
7 witness, unless any member of the Grand Jury --

8 THE FOREMAN: Does any Juror have any question of
9 Dr. Noguchi before he is excused? Mrs. Shalhoub?

10 MR. MINER: Before we look at the Grand Juror's
11 question, Mr. Foreman, may I reopen my examination of this
12 witness?

13 THE FOREMAN: Surely.

14 Q BY MR. MINER: Doctor, from the tattooing
15 that you described on the edge of the ear as to bullet
16 Wound Number 1, do you have any opinion as to what might
17 have been the distance from which that bullet was fired?

18 A Yes, I do have an opinion, sir.

19 Q And what is your opinion, Doctor?

20 A May I -- before I would express my opinion,
21 I would like to qualify myself that this area may be area
22 called criminalistic or firearms identification, and without
23 having an opportunity to test the suspected firearm, using
24 similar cartridge and a bullet, and it will be very
25 difficult for forensic expert to express in a distance by
26 how many inches.

1 However, the position of the tattooing and
2 the powder on the edge of the right ear indicate that
3 gunshot wound was inflicted, and I would say that the
4 muzzle distance was a -- very, very close.

5 Q Do you believe this was a contact wound,
6 that is, the muzzle was actually up against the body of
7 Senator Kennedy?

8 A I would like to study further, since there
9 are -- continuous examination must be conducted because
10 the surgeon had removed the fragments of the skull, which
11 may contain the powder. However --

12 Q Let me put it this way, can you give -- do
13 you have an opinion as to the maximum distance the gun
14 could have been from the Senator and still have left powder
15 burns? How is that? Can you give us an opinion on that?

16 A Well, yes, I think so. I can express an
17 opinion.

18 Allowing a variation, I don't think it will
19 be more than two or three inches from the edge of the right
20 ear.

21 MR. MINER: I think that the question -- one
22 question asked by a Grand Juror was answered, and the other
23 one is:

24 Q Doctor were there any other pathologists
25 present -- and I think you have told us that Drs. Holloway
26 and Lu were present -- and were there some pathologists

THE PERENNIAL APPRENTICE

The autopsy room was crowded with observers. One of these observers was Colonel Pierre Fink. He must have come out to learn how to complete an autopsy. He didn't finish the one he started on John Kennedy.

Some Admiral asked him not to and he said O.K. and he can't remember the name. There were so many Generals and Admirals there.

MEMBERS OF NEUROSURGICAL TEAM PRESENT AS OBSERVERS:

Henry M. Cunco, M.D., Neurosurgeon in Charge
Nat D. Reid, M.D.
M. Andler, M.D.
James Poppen, M.D.

PATHOLOGIST FROM THE HOSPITAL OF THE GOOD SAMARITAN PRESENT
AS OBSERVER:

J. A. Kernan, M.D.

CONSULTANTS FROM THE ARMED FORCES INSTITUTE OF PATHOLOGY:

Pierre A. Finck
Colonel, MC, USA
Chief, Military Environmental Pathology Division and
Chief, Wound Ballistics Division

Charles J. Stahl, III
Commander, MC, USN
Chief, Forensic Pathology Branch and
Assistant Chief, Military Environmental Pathology Division

Kenneth Earle, M.D.
Chief, Neuropathology Branch

FORENSIC AND MEDICAL PHOTOGRAPHERS:

John E. Holloway, M.D.
Deputy Medical Examiner

Richard Kottke
Deputy Coroner

Charles Collier
Scientific Investigation Division
Los Angeles Police Department

IN CHARGE OF SECURITY OF AUTOPSY ROOM, FOR THE OFFICE OF THE
CHIEF MEDICAL EXAMINER-CORONER:

Charles Maxwell
Chief of Investigation Division

AUTOPSY ASSISTANT:

Edward Day
Senior Investigator



CHIEF ADMINISTRATIVE OFFICER
COUNTY OF LOS ANGELES

713 HALL OF ADMINISTRATION / LOS ANGELES 12, CALIFORNIA

L. S. HOLLINGER
CHIEF ADMINISTRATIVE OFFICER

March 14, 1969

MEMBERS OF THE BOARD
ERNEST E. DESS
CHAIRMAN
FRANK G. BOHELLI
KENNETH HAHN
EURTON W. CHACE
WARREN M. DORN

Honorable Board of Supervisors
County of Los Angeles
383 Hall of Administration

Gentlemen:

SUBJECT: REPORT ON INVESTIGATION AND RECOMMENDATION
TO DISCHARGE DR. THOMAS T. NOGUCHI,
CHIEF MEDICAL EXAMINER-CORONER

On March 4, 1969, your Board on my recommendation suspended Dr. Thomas T. Noguchi from his position as Chief Medical Examiner-Coroner for an indefinite period not to exceed thirty (30) days. At that time, you directed me to investigate, report and recommend appropriate action within thirty days. This investigation is now completed.

In conducting the investigation we have confined ourselves to current events and to occurrences during Dr. Noguchi's tenure as Chief Medical Examiner-Coroner which began on December 19, 1967. Further, we have confined our investigation to those matters relating to Dr. Noguchi's ability to administer his department. We have not investigated his professional ability as a Forensic Pathologist. In fact, statements have been made to us by a number of people which would indicate that Dr. Noguchi is well qualified as a forensic pathologist.

However, based upon my investigation of his fitness to conduct the duties of his office as Chief Medical Examiner-Coroner and administer the responsibilities of the department, I have prepared the attached letter of discharge and statement of reasons therefor and I now recommend that:

1. the up to thirty (30) days suspension of Dr. Noguchi from his position as Chief Medical Examiner-Coroner as approved by your Board on March 4 be sustained;

March 14, 1969

2. and that on March 18, 1969, Dr. Thomas Noguchi be permanently discharged from his position as Chief Medical Examiner-Coroner, and from County service;
3. the Board of Supervisors approve the attached Letter of Discharge and Statement of Reasons therefor; and
4. instruct the Executive Officer of the Board to sign the attached letter and to cause it to be served on Dr. Noguchi, and to be filed with the Civil Service Commission as required under Section 19.02 of the Rules of the Civil Service Commission.

Very truly yours,



L. S. HOLLINGER
Chief Administrative Officer

LSH:o

cc: Each Supervisor
County Counsel
Civil Service Commission
Chief Medical Examiner-Coroner

Attach.



BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES
363 HALL OF ADMINISTRATION / LOS ANGELES, CALIFORNIA 90012

JAMES S. MIZE, EXECUTIVE OFFICER

MEMBERS OF THE BOARD
ERNEST E. DEBS
CHAIRMAN
FRANK G. BONELLI
KENNETH HAHN
BURTON W. CHACE
WARREN M. DORN

March 14, 1969

Thomas T. Noguchi, M. D.
980 South Oxford
Los Angeles, California 90006

Dear Dr. Noguchi:

On Tuesday, March 4, 1969, at 2:54 p. m., you were notified in writing that you were suspended without pay from your position for an indefinite period of time, not to exceed thirty (30) days, pending investigation by the Chief Administrative Officer. The report of his investigation has been received and considered by the Board of Supervisors. You are hereby discharged from County service without further notice effective immediately for each of the following reasons.

As the Chief Medical Examiner-Coroner, you have the responsibility to establish and maintain effective policies and programs which would meet the needs of your office and the best interest of the County of Los Angeles. You have failed to do so in the following particulars:

1. You have failed to properly, efficiently and economically direct the work of your office by:
 - a) failing to have cases completed promptly;
 - b) unnecessarily expanding activities to build up work loads for the apparent sole purpose of justifying excessive expenditures;
 - c) requiring employees to work at tasks not included in their class specifications.

2. You have diminished the effectiveness of your staff by:
 - a) failing to effectively communicate with them and direct their efforts;
 - b) conducting yourself in an erratic and/or irrational manner in their presence;
 - c) taking of stimulants and depressants in combination and in excessive quantities, and by exhibiting symptoms which indicate a need for psychiatric care, thereby destroying the confidence of your staff in your ability to direct the affairs of your office;
 - d) inability to create or maintain an acceptable level of employee morale.

3. You have subjected subordinates and other County employees to or threatened them with degrading or other hostile treatment without reasonable provocation by:
 - a) use of profane language;
 - b) submitting employees to demeaning treatment;
 - c) threatening the personal safety of staff members and other County employees.
 - d) causing your employees, because of your actions, to become apprehensive regarding their personal safety, and avoid contacts with you as much as possible.

4. You have jeopardized the confidence of the community in the County government and your office by your statements indicating that you view great tragedy as an avenue of aggrandizement for yourself and the office of Chief Medical Examiner-Coroner.

The specific facts or circumstances which support these charges follow:

1. You have failed to properly, efficiently and economically direct the work of your office by:
 - a. failing to have cases completed promptly;
 - b. unnecessarily expanding activities to build up work loads for the apparent sole purpose of justifying excessive expenditures;

c) requiring employees to work at tasks not included in their class specifications.

--A During January 1969 there was an excessive backlog of cases (approximately 500) in your office awaiting final review and determination of the cause or mode of death. Despite the inconvenience to the families of the deceased, particularly in insurance cases, you failed to either personally take final action to complete these cases, or direct those on your staff who were qualified to perform this task, to do so.

--B In November 1968 you were advised that, if the office continued to operate at its present spending levels, the funds allocated for departmental Salaries and Employee Benefits would be exceeded. Rather than attempting to effect economies, you replied that you intended to justify the overexpenditure by making a public announcement that autopsies would be performed on all persons apparently dying from flu, and by giving as a reason that extensive viral studies would be made which would contribute immeasurably to the body of knowledge in the field of pathology. You carried out your expressed intention. You offered no logical explanation for this innovation, other than justifying the overexpenditure, even though such a practice would greatly increase the work load of your office, and even though you had no laboratory facilities within your office to conduct such viral studies.

Those who apparently died of the flu were then brought to your office or private mortuaries and handled as Coroner's cases by your staff, which was already burdened with a full work load. Samples of tissues were collected at your instruction and placed under refrigeration. None was ever sent for testing to laboratories having the capability to perform the tests. Within a short time the quantity of tissue samples for viral tests became so numerous that they taxed the capacity of your refrigeration chamber. When your subordinates requested you to prescribe some procedure for processing the samples, you gave the orders to dispose of them, which was done.

--C During the months of November and December of 1968, you announced to your staff that you also wished them to handle as Coroner cases all persons believed to have died as a result of jaundice or liver failure, which had not previously

been considered to be Coroner's cases. When you visited the autopsy room and saw the large increase in the number of cases being handled, for which neither adequate space nor personnel was available, you indicated great satisfaction, particularly on the fact that the case load was approaching 14,000 for the year 1968.

--D At one time you ordered the discontinuance of the existing practice of placing eight tissue samples on one culture plate and instead ordered the placing of only one sample on each plate. When asked why, you replied, the more plates the better. The use of individual plates for tissue samples provides no scientific benefit and has the effect of artificially inflating work load.

--E You have required an employee of your department holding the position of Coroner's Aid, and, occasionally, other employees, to act as your chauffeur or to perform other duties, which were outside the scope of the duties of their positions.

2. You have diminished the effectiveness of your staff by:

- a) failing to effectively communicate with them and direct their efforts;
- b) conducting yourself in an erratic and/or irrational manner in their presence;
- c) taking of stimulants and depressants in combination and in excessive quantities, and by exhibiting symptoms which indicate a need for psychiatric care, thereby destroying the confidence of your staff in your ability to direct the affairs of your office;
- d) inability to create or maintain an acceptable level of employee morale.

--A In January 1969 you summoned the physician assigned the responsibility of acting as the hearing officer at inquests to discuss his new duties as Hearing Officer at Coroner's inquests. Within a matter of seconds, you changed the conversation to totally unrelated subjects. The physician was bewildered and received no direction from the meeting, and the meeting produced no results insofar as the operation of the department is concerned.

- B You have called into your office members of the Department's professional staff on a number of occasions for conferences during which you rambled so aimlessly that no one could follow what you were saying.
- C In January and February of 1969 you had numerous conferences with your Chief Medical Assistant in which the initial reason for the conference was quickly forgotten by you, and you jumped rapidly from one unrelated subject to another with no continuity of thought.
- D On one occasion during February 1969 you and your Chief Medical Assistant were discussing the performance evaluation of one of the physicians on your staff. In the middle of this discussion before any conclusion was reached, you suddenly changed the topic and started discussing totally unrelated subjects. The original subject of the meeting is still unresolved.
- E You appeared on numerous occasions to many people within the department to be over-stimulated and hyperactive. Your conversations tended to jump erratically from one subject to another. You often did not finish one train of thought before going on to the next.
- F During the month of January 1969 you came into your Administrative Assistant's office; slammed the door upon entering; grabbed papers out of his hands; and stated to him that you were, "Going to fix that God damned son of a bitch Hollinger" and that "you were going to get certain budgetary increases." Your Administrative Assistant indicates your manner at this time was very agitated.
- G During the summer of 1968 you approached a secretary in your office at her desk and parted your coat to reveal to her a tooled leather belt around your waist upon which were affixed a two-way radio, a communicator commonly known as a "beeper," and a knife in a sheath. You then removed the knife from the sheath, held a piece of paper with your other hand and demonstrated the sharpness of the instrument by slicing off pieces of the paper. You then stated to her that you would use the knife to perform autopsies on people who were still living at the time of the autopsy.
- H On one occasion, a discussion was held in your office as to whether a new telephone panel would be installed on a rectangular table or on a round coffee table. At one

point, you became very agitated, grabbed the panel, threw it to the floor, and kicked it against the wall of your office.

- I You were informed by your Administrative Deputy in October 1968 that there was a backlog of difficult cases which were waiting for your review and signature. You replied that you did not have time to review the files because you were planning the take-over of the Health Department and the Public Administrator's Office.
- J On several occasions in the presence of subordinate staff, you have referred to the head of the Toxicology Laboratory, who is a native of India, as the head of your Department of Indian Affairs.
- K On a number of occasions you stated to your Chief Medical Assistant and other subordinates that your office was going to take over the office of the Orange County Coroner. On another, you stated to your Administrative Deputy that you were involved in a "forensic mafia" and that you would be responsible for everything west of the Mississippi, while an eastern pathologist with whom you are acquainted would take over everything east of the Mississippi.
- L You called the Inquest Officer to your office in January 1969, ostensibly to discuss his duties, but then showed him a plastic cutout which you had prepared and which you said illustrated the autopsy of Lin Hollinger. The cutout was a large "N" over a horizontal bar with the name of "Hollinger" printed on the bar.
- M You spoke for about 45 minutes at the retirement dinner for a member of your staff in January 1969. Your eyes were glassy; your discourse had no continuity of thought and was a total disassociation of ideas, making yourself the subject of ridicule, and leaving your subordinates at all levels bewildered and embarrassed.
- N You have, on numerous occasions, slammed doors in the office with great force and with evident deliberateness. You then paused to see what effect the door slamming had on those present. The impact on your office door caused the door structure to deteriorate and the plaster to fall off the walls. Carpenters and painters from the Mechanical Department had to be called to repair the damage.

- O A number of your employees have stated that over a period of months they have observed you taking a variety of pills and capsules, some of which appeared to be the Amphetamine Dexamyl, without any indication of a physical condition warranting medication, and that staff have discussed amongst themselves their concern over this practice.
- P Several physicians on your staff have expressed the opinion that the symptoms which you exhibit would indicate that you had been taking drugs in both the amphetamine and barbiturate groups. They all further stated that such symptoms, regardless of their cause, would indicate the need for referral of the patient for psychiatric evaluation and care.
- Q Many members of your staff, both lay and professional, have expressed grave doubts as to your mental health.
- R Discussions with a number of key members of your staff clearly reveal that, in their opinions, the operation of your office is severely hampered by very low morale, that a number of resignations are imminent if you remain as Chief Medical Examiner-Coroner, and that many members of your staff feel that you are not qualified to administer the department.
3. You have subjected subordinates and other County employees to, or threatened them with degrading or other hostile treatment without reasonable provocation by:
- a) use of profane language;
 - b) submitting employees to demeaning treatment;
 - c) threatening the personal safety of staff members and other County employees;
 - d) causing your employees, because of your actions, to become apprehensive regarding their personal safety, and avoid contacts with you as much as possible.
- A You have spoken to employees with unwarranted profanity, e. g., in April 1968, in the presence of a secretary, you said to the then Chief Medical Assistant, in an abusive tone in her presence, "Why the hell can't you make up your mind?" Also, on another occasion, you stated loudly in an abusive tone to another physician, "Why in the hell are you late?"

- B You once ordered a coroner's aid to shine your shoes which he refused to do. On another occasion, you threw your shoes at him, ordered him out of your house, and called him a "black bastard."
- C On one occasion you became very angry with a coroner's aid for no apparent reason. You wanted him to arrange to have certain periodicals bound, and, in your anger at him, you threw these periodicals on the floor and insisted that he crawl on the floor to pick them up.
- D During the month of December 1968 you signed a stack of letters which your secretary had brought to you; and, after signing each document, placed one after the other in such position on your desk that each fell to the floor and had to be retrieved by the secretary.
- E In the presence of one of your physicians and other subordinates, you told a physician, who is a licensed pathologist and who has a physical disability in that one of his legs is somewhat shorter than the other, that you would pay him more money if he could grow his short leg longer. Over a period of time you continually berated him verbally about his disability until he quit.
- F You once told the Head of the Toxicology Laboratory and Division within your department, who has a PhD in Toxicology, and who was employed as an expert in the field of forensic medicine, that if he did not do his job you would personally ship him back to India and you would pay the fare.
- In January 1969 you met with him in your office to discuss his budget request. For no apparent reason you got up from your desk, yanked open the door and yelled at him, in a secretary's presence, "Get out, get out of my office."
- G During the month of January 1969 you went to an equipment supply company to select an addressograph machine for purchase and use in your office. While in the distributor's showroom, you activated the lever of one of the machines with such force as to cause the machine to cease to function. When the distributor's showroom representative expressed concern as to what had happened, you stated that the damage was done by your secretary.

--H During the month of January 1969 you entered your Administrative Assistant's office and slammed the door. You then pulled a knife out of a sheath attached to a second belt around your waist, waved the knife in the air and said, referring to another subordinate who was not then present, that you were going to cut him up.

--I At a meeting with a physician in January 1969, which was ostensibly called to discuss his new duties as hearing officer at inquests, you expressed your desire to perform autopsies on Gordon T. Nesvig (County Director of Personnel), Lin S. Hollinger (Chief Administrative Officer), and Harry Hufford (Chief, Budget Division of the Chief Administrative Office), but you further stated you might have to assassinate Hollinger first.

--J On December 20, 1968, after a discussion you had on the phone with one of your physicians, you came into your Administrative Deputy's office, slammed the door, drew a knife from a belt around your waist, and, in an agitated manner, said, speaking of the physician, "I'll kill him, I'll kill him."

--K A number of your employees have stated that, because of your actions, they have become apprehensive regarding their personal safety, and avoid contacts with you as much as possible.

4. You have jeopardized the confidence of the community in the County government and your office by your statements indicating that you view great tragedy as an avenue of aggrandizement for yourself and the office of Chief Medical Examiner-Coroner:

--A During the month of May 1968 there was a helicopter crash in which a number of people were killed. During that same month you, in substance, commented that you were glad that the helicopter had crashed because it would mean more money for the Coroner's office. You stated that it was too bad these people had to die, but you were glad it happened in your jurisdiction.

--B During the month of June 1968, after Senator Robert Kennedy was shot but before the Senator actually died, you expressed the belief that the Senator had no chance at all to live and that his death would give you the chance to make a reputation for yourself.

- C Shortly after a second helicopter crash, you said to your Administrative Assistant that you wanted a Boeing 707 to crash so that the Coroner's office could increase its budget.
- D Over a period of several months following these helicopter crashes, you stated on several occasions that each night you prayed that a 727 loaded to capacity would crash into the International Hotel, because the press would then come and Noguchi would be in the center of attention.
- E On one occasion you stated that you prayed that Mayor Yorty's helicopter would crash, because the press would be there and you would be there and this would bring glory and prestige to the office.

In taking this action the Board is aware of the importance of the Chief Medical Examiner-Coroner's Department to the people of Los Angeles County and the importance of your responsibilities as a County officer and head of this department. The Board has carefully considered all of the charges stated herein. In view of the fact that your performance in these critical areas has been so unsatisfactory, I believe that your discharge is the only appropriate action.

You have the right to appeal this action to the Civil Service Commission, 222 North Grand Avenue, Los Angeles, California 90012. Your appeal must be in writing and must be mailed within ten business days of your receipt of this letter, with a copy to me. In it you must state specifically the grounds upon which you base your appeal. Should you appeal, you have the right to representation, at your expense, by an attorney or other representative of your choice.

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

By _____
James S. Mize
Executive Officer

cc: Each Supervisor
Civil Service Commission
Chief Administrative Officer
County Counsel
Director of Personnel
Employee's Personnel File

POOR OLD DEWAYNE WOLFER

DeWayne Wolfer's problems all began when he was born dumb. It wouldn't have mattered if he had been an incompetent criminalist on the police force of a small town or the only criminalist in the county or state.

But he plies his trade in one of the largest cities in the world and there are several large cities nearby and of course he has colleagues. That was it. A group of four criminalists led by William Harper were on his trail from two other cases: the Terry and Kirschke cases. The Kirschke case keeps resurfacing in the Sirhan case and the only discernable connection is DeWayne Wolfer. That is so far. The Kirschke case has intriguing aspects and political undertones that suggest a more substantive connection than the witless wanderings of Wolfer.

William Harper received permission from George Shibly, an attorney of record, to examine the bullets.

He discovered that the murder weapon had not been test fired. This should be as embarrassing to the defense as the prosecution. Ordinarily the defense is not obliged to do the prosecution's work but when the prosecution neglected to conduct a ballistics test on the murder weapon the defense could only be served by demanding one themselves. What damage could it do? After all, no one could deny that Sirhan was there shooting.

What it could show was that someone else hit Kennedy.

Whatever fanciful justification is concocted for that dereliction there is no place they can go with Harper's second discovery: the bullet taken from Kennedy's neck and the bullet taken from Weisel do not match.

Two guns!

When Wolfer was recommended for the directorship of the Los Angeles Police Department's Crime Laboratory, Attorney Barbara Blehr protested to the Civil Service Commission. Mrs. Blehr is an exceptional lawyer.

She produced proof that he was a liar, a dumb liar.

Wolfer countered with a slander suit. This is only a holding action. There is no way he can win and several ways he can lose.

Poor old DeWayne.

1 BARBARA WARNER BLEHR
2 ATTORNEY AT LAW
3 488 SOUTH SPRING STREET
4 LOS ANGELES, CALIFORNIA 90013
5 TELEPHONE (213) 624-3481

6 Attorney for In Pro Per

7 SUPERIOR COURT OF THE STATE OF CALIFORNIA,
8 FOR THE COUNTY OF LOS ANGELES
9

10 DE WAYNE A. WOLFER,
11 Plaintiff,
12 vs.
13 BARBARA WARNER BLEHR, et al.,
14 Defendants.

NO. C 8080
ANSWER OF DEFENDANT
BARBARA WARNER BLEHR

15 COMES NOW the defendant BARBARA WARNER BLEHR and answering
16 the complaint on file herein for herself only, admits, denies,
17 and alleges:

18 I

19 Answering Paragraph II of said complaint, this answering
20 defendant denies each and every allegation contained therein.

21 II

22 Answering Paragraph IV, this answering defendant admits
23 that on or about May 28th, 1971 she addressed a letter to Mrs.
24 Murriel Morse, the General Manager Personnel Department, of the
25 Civil Service Commission of the City of Los Angeles, regarding
26 the proposed appointment of plaintiff as head of the Los Angeles
27 Police Department Scientific Investigation Division Crime Labor-
28 atory, and defendant alleges that Exhibit "A" attached to the
29 complaint is incomplete in that the exhibits attached to said
30 letter were not included, defendant further alleges that the
31 Exhibit "A" attached to the within answer constitutes the com-
32 plete letter addressed to the said Civil Service Commission on

1 May 28th, 1971. Except as expressly admitted herein, defendant
2 denies generally and specifically each and every other allegation
3 contained in said paragraph.

4 III

5 Answering Paragraph V of said complaint, this answering
6 defendant denies generally and specifically each and every alle-
7 gation contained in said paragraph.

8 IV

9 Answering Paragraph VI, defendant denies generally and
10 specifically each and every allegation contained therein; defend-
11 ant further denies that plaintiff was damaged in any manner by
12 reason of any wrongful act upon her part.

13 V

14 Answering Paragraph VII, defendant denies generally and
15 specifically each and every allegation contained therein; defend-
16 ant further denies that plaintiff was damaged in any manner by
17 reason of any wrongful act upon her part.

18 VI

19 Answering Paragraph VIII, defendant denies generally and
20 specifically each and every allegation contained therein; defend-
21 ant alleges that as a citizen, she possess a public interest in
22 the subject matter of the letter in question, and that said letter
23 was sent in good faith pursuant to said public interest, to the
24 end, that only a qualified person would be appointed to the public
25 office as head of the Los Angeles Police Department Scientific
26 Investigation Division Crime Laboratory.

27 AND FOR A SEPARATE, FURTHER, AND AFFIRMATIVE DEFENSE NUMBER
28 ONE, defendant alleges:

29 I

30 That the statements contained in the said letter addressed
31 to the Civil Service Commission under date of May 28th, 1971, are
32 absolutely privileged under the provisions of Section 47, Sub-

1 Division 2, Civil Code of the State of California, in that they were
2 made by defendant in an official proceeding authorized by the Los
3 Angeles City Charter, and the Rules and Regulations of the Los
4 Angeles Civil Service Commission; that said letter and statements
5 were relevant to the matter then pending for decision before the
6 Civil Service Commission, to wit: the matter of the qualifications
7 of plaintiff for appointment to the vacant civil service office as
8 Chief of the Los Angeles Police Department Scientific Investigation
9 Division Crime Laboratory; that said letter was relevant to the
10 matter of the qualifications of plaintiff for said permanent civil
11 service appointment, and upon said receipt, became a part of the
12 official record of said Civil Service Commission, and absolutely
13 privileged.

14 AND FOR A SEPARATE, FURTHER AND AFFIRMATIVE DEFENSE
15 NUMBER TWO, defendant alleges:

16 I

17 That the said letter and statements contained in said
18 letter to the Civil Service Commission under date of May 28th,
19 1971 are absolutely privileged under the provisions of the First
20 Amendment, United States Constitution, and Section 47, Subdivision
21 2, Civil Code of the State of California, in that they were made
22 by defendant in furtherance of her Constitutional right of
23 freedom of speech, and her Constitutional right to petition the
24 Government for a redress of grievances, to wit: the protesting
25 of the proposed appointment by the State of California, acting
26 through the Civil Service Commission of the City of Los
27 Angeles, of plaintiff to the vacant civil service office as
28 head of the said Los Angeles Police Department Scientific Investiga-
29 tion Division Crime Laboratory, which appointment was being
30 considered by said Civil Service Commission; that the filling
31 of said vacancy was authorized by the Los Angeles City Charter,
32 and the Rules and Regulations of the Los Angeles Civil Service
33 Commission; that by reason thereof, the publication and delivery

1 of said letter said Civil Service Commission constituted a
2 petition to the government for a redress of grievances with-
3 in the operation of the First Amendment, United States Con-
4 stitution, and the pending civil service appointment pro-
5 ceedings constituted an official proceeding authorized by
6 law within the "in any other official proceeding author-
7 ized by law" provision of Section 47, Subdivision 2 (3),
8 California Civil Code; that by reason thereof, the publi-
9 cation of said letter was absolutely privileged.

10 AND FOR A SEPARATE, FURTHER AND AFFIRMATIVE
11 DEFENSE NUMBER THREE, defendant alleges:

12 I

13 That the statements contained in the said letter
14 to the said Civil Service Commission under date of May 28th,
15 1971, are privileged under the provisions of Section 47,
16 Subdivision 3, Civil Code of the State of California in that
17 said letter was sent without malice by defendant, to a per-
18 son interested therein, to-wit: Mrs. Murriel Morse, who
19 at the time in question was the duly appointed, qualified
20 and acting General Manager of the Civil Service Commission
21 of the City of Los Angeles.

22 AND FOR A SEPARATE, FURTHER AND AFFIRMATIVE
23 DEFENSE NUMBER FOUR, defendant alleges:

24 I

25 That the statement contained in Exhibit "A" as
26 follows:

27 " Mrs. Murriel M. Morse
28 General Manager Personnel Department
29 Civil Service Commission
30 Room 400, City Hall South
31 Los Angeles, California "

32 is true in that Mrs. Murriel M. Morse was and is in truth and

1 fact the General Manager of the Personnel Department of the
2 Civil Service Commission of the City of Los Angeles.

3 II

4 That the statement contained in said letter as
5 follows:

6 " Re: Appointment of DeWayne A. Wolfer"
7 is true in that plaintiff was on May 28th, 1971, under con-
8 sideration for an appointment by the Civil Service Commission.

9 III

10 That the statement made in said letter as follows:

11 " A request is hereby made by the under-
12 signed for a hearing before the Civil
13 Service Commission as to the qualific-
14 ations of the above named person as head
15 of the Los Angeles Police Department
16 Scientific Investigation Division Crime
17 Laboratory."

18 was true in that such a request was made by defendant, and
19 plaintiff was on May 28th, 1971, under consideration for the
20 appointment to said office on a permanent basis.

21 IV

22 That the statement contained in said letter as
23 follows:

24 " It is my understanding that Mr. Wolfer
25 is now acting head on a temporary basis
26 for said laboratory and that his appoint-
27 ment is due to become final July 1st."

28 was true in that plaintiff was acting head of said depart-
29 ment pursuant to appointment made April 1, 1971 by the
30 Los Angeles Police Department under the provisions of Sec-
31 tion 109 of the Los Angeles City Charter, and was to become
32 final on July 1st, 1971.

1
2 The statement contained in said letter:

3 " My belief that Mr. Wolfer is completely unqual-
4 ified for the position is supported by the
5 following considerations:

6 (1) There are numerous fundamental precepts
7 upon which the science of firearms identi-
8 fication is based. All criminalists and
9 firearms examiners must abide by the precepts
10 and disciplines of their profession. Six of
11 these precepts, which Mr. Wolfer has violated,
12 are listed below:

13 Precept (1) The positive identification of an
14 evidence bullet as having been fired from a
15 particular gun and no other must be based on
16 a comparison of the evidence bullet with a
17 test bullet recovered from the same evidence
18 gun and no other.

19 Precept (2) The most accurate and reliable de-
20 termination of the approximate distance between
21 the muzzle and victim (excluding contact) based
22 on powder pattern distribution must be made with
23 the actual evidence gun and no other. It is also
24 important to use the same make and type of ammuni-
25 tion, preferably from the same batch or lot
26 number. (When the evidence gun is not available
27 a similar gun may be used but the validity of
28 the test is always more questionable.)

29 Precept (3) The land and groove dimensions
30 (part of the rifling specifications) may be
31 identical or nearly identical between different
32 firearms manufacturers.

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Precept (4) Very similar copper coatings are used on many different makes of lead revolver bullets.

Precept (5) CLASS CHARACTERISTICS as shown by the rifling impressions on a fired bullet play absolutely no role in the identification of such a bullet as having been fired from one particular gun out of the entire world population of guns having the same class characteristics.

Precept (6) A single land of the rifling of a firearm can produce only one land impression on a fired bullet.

These precepts are expressions of basic common sense and are universally accepted. They are truisms in the same sense, for example, that the assertion " a single blade of a plow can cut only one furrow as it moves over the ground" is a truism."

is true in that the attached affidavits from LeMoyne Snyder, Jack Cadman and Raymond Pinker, contained in Exhibit "A", pages 5 through 14 inclusive, and Exhibit "B", the affidavit of Charles M Wilson, attached hereto and made a part hereof; Exhibit "C" the affidavit of Jacques Mathyer attached hereto and made a part hereof; Exhibit "D", the affidavit of Lowell W. Bradford, attached hereto and made a part hereof, and Exhibit "E" the affidavit of R.C. Nichol attached hereto and made a part hereof, show that the precepts stated herein are fundamental precepts upon which the science of firearms identification must be based, and that all criminalists and firearms examiners must abide by them

VI

That the statement contained in said letter as follows:

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"The violations of the above precepts by Mr. Wolfer will be pointed out briefly in two of the three cases abstracted herewith."

is true in that said statements were set out in said letter of May 28th, 1971.

VII

That the statements contained in said letter as follows:

"CASE NO. 1. (SC# A222633) In this case Mr. Wolfer testified he had made a positive identification of the defendant's gun as the murder weapon. In making this identification Mr. Wolfer produced in evidence enlargements of ballistic comparison photomicrographs to support his testimony. A very thorough study of these photographs and the evidence bullets disclosed, however, that Mr. Wolfer had matched a single land impression on the test bullet with TWO different land impressions 120 degrees apart on the fatal bullet. This amounts to saying that a single blade of a plow cuts TWO furrows in the ground over which it moves - an obvious impossibility. His procedure and testimony are thus a clear-cut violation of Precept (6) and completely invalidates the identification of the defendant's gun as the murder weapon."

are true in that:

On October 24th, 1967, plaintiff testified in the above case (People vs. Kirschke), that the fatal bullets (herein designated as "Kirschke" and Drankham") were fired in the same gun and no other gun in the world. In truth and fact, plaintiff in his preparation of Exhibits 101 and 102, used in substantiating the identification of the "Drankham" fatal bullet, employed

1 a single land impression on the Sheriff's test bullet to identify
2 two different land impressions on the "Drankham" bullet thus
3 violating Precept (6). The upper portion of the land impression
4 on the test bullet was matched with one of the land impressions
5 on the "Drankham" bullet to prepare Exhibit 101, while the lower
6 portion of the same test land impression was matched with a
7 second and different land impression of the same fatal bullet.
8 In truth and fact, plaintiff intentionally and deliberately made
9 a reversal or transposition of the evidence and test bullets in
10 order to prepare the photographs of Exhibits 101 and 102, know-
11 ing that a bullet cannot be fired in two distinct phase positions
12 at the same time, thus invalidating the use of said Exhibits 101
13 and 102. Taking into account the extreme deformation of the
14 evidence, combined with the fact that Exhibits 101 and 102 are
15 out of phase with each other, the single alleged individual
16 characteristic shown in Exhibit 100 is of no substantial probative
17 value in making a positive identification. Again taking into
18 account the extreme deformation of the "Kirschke" fatal bullet,
19 the single alleged individual characteristic demonstrated in
20 Exhibit 99 in said case would have no probative value in est-
21 ablishing a positive identification. By so testifying, plaintiff
22 violated Precept (6) set forth above which states:

23 " A single land of the rifling of a firearm
24 can produce only one land impression on a
25 fired bullet."

26 attached hereto, marked Exhibit "F" and by reference made a part
27 hereof, is an affidavit of Charles M Wilson in support of the
28 above.

29 VIII

30 That the statement contained in said letter:
31 : " Mr. Wolfer also violated Precept (5) by
32 indicating certain CLASS CHARACTERISTICS as

1 part of the proof of "matching" between test
2 and fatal bullets."
3 is true in that plaintiff, further testifying in the case of
4 People vs. Kirshcke, on or about October 24th, 1967, introduced
5 into evidence four comparison photmicrographs, Exhibits No. 99,
6 100, 101 and 102. Each of these photographic exhibits carries
7 arrows placed thereon by plaintiff, who defined the significance
8 of these arrows as follows:

9 "The arrows here indicate areas of concern and
10 points of comparison."

11 There are a total of 13 such arrows on the four exhibits, indic-
12 ating that plaintiff had found 13 points of similarity between
13 the two fatal bullets and the test bullet; 10 points of
14 similarity on the "Drankham" bullet and 3 points of similarity
15 on the "Kirschke" bullet. In truth and fact, of the 13 points of
16 comparison, seven points are class characteristics only and do
17 not contribute in any way to the positive identification of a
18 weapon. Assuming the remaining points are valid, 5 on the "Drank-
19 ham" and 1 on the "Kirschke", this would leave only six points
20 of individual characteristics which might lead to a positive
21 identification of the weapon. In truth and fact, such points
22 are insufficient for a positive identification.

23 IX

24 That the statement contained in said letter:
25 " His testimony combined with his very eso-
26 teric photographic manipulations label his
27 work in this instance nothing but perjury"
28 is true in that as set forth in Paragraph V hereinabove and
29 incorporated herein by reference, plaintiff falsely prepared
30 exhibits to support his testimony that the fatal bullets "matched"
31 the test bullets, and when said exhibits were presented in court
32 to support his testimony that said bullets did in fact match,

1 plaintiff knowingly, falsely, and deliberately presented false
2 evidence to a court of law, thus committing perjury.

3 X

4 That the statement contained in said letter as
5 follows:

6 "CASE NO. 2 (SC # A233421) In this case Mr.
7 Wolfer violated Precepts (1), (2), (3) and
8 (4). He testified that the defendant's gun
9 and no other was the single murder weapon
10 which had fired three bullets into the
11 bodies of three of the victims. The
12 physical evidence, however, upon which his
13 testimony was based established that the
14 three above mentioned evidence bullets
15 removed from victims were fired, not from
16 the defendant's gun but in fact from a
17 second similar gun with Serial No. H18602.
18 The only possible conclusion that must be
19 reached is that two similar guns were being
20 fired at the scene of the crime. Such a
21 conclusion then leads unavoidably to the
22 question: Which of the two guns fired the
23 single fatal bullet? The presence of the
24 second gun is firmly established in Exhibits
25 A and B attached hereto which are photographs
26 of Court Exhibit 55. This court exhibit is an
27 envelope containing the test bullets which
28 Mr. Wolfer matched with the three evidence
29 bullets mentioned previously. The inscription
30 on the envelope shows that the enclosed test
31 bullets were fired from gun No. H18602 and
32 not from the defendant's gun No. H53725."

1 are true in that:

2 (1) Plaintiff testified in said case as follows:

3 "Q BY MR. FITTS: I direct your attention to
4 this envelope which is People's 55, and it bears
5 certain writing perhaps from your hand, does
6 it not?

7 A: It does.

8 Q: What does it contain?

9 A: It contains three of the test shots that
10 I took from People's No. 6, the weapon, and
11 this was from the water recovery tank, and
12 that would be three test shots I used for
13 comparison purposes "

14 Plaintiff further testified:

15 "A: Yes. I can say this bullet Exhibit 47,
16 the bullet taken from Senator Kennedy's
17 sixth cervical vertebra, and then this
18 bullet, taken from Mr. Golstein, the bullet
19 being Exhibit No . 52 and the bullet taken
20 from Mr. Weisel, People's Exhibit No. 56
21 were fired from the same weapon.

22 Q MR COOPER: Pardon me, 54, Item 56?

23 THE COURT: You are correct, counsel, I am
24 sorry. This is right, it is actually People's
25 Exhibit No. 54, were fired from this gun and
26 no other gun.

27 Q MR. FITTS: That is on the comparison of
28 the striations and mounting them up as you
29 have indicated, gyroscopically, by moving
30 your finger as you have illustrated to the
31 jury, is that correct?

32 A: That is correct.

1 In truth and fact, Exhibit 55 contains the designation
2 of gun number H 18602 as the test weapon, and no gun number
3 H53725 (People's No. 6), see pages 15 and 16 of Exhibit "A"
4 attached hereto. By using test shots from a different weapon
5 plaintiff violated the firearms identification precept (1)
6 as set forth in Paragraph V hereinabove, and by reference,
7 incorporated herein

8 (2) Plaintiff was asked, and gave the following
9 answer in the People v. Sirhan case:

10 "Q BY MR. COOPER: When you made this test
11 pattern you used another gun, I think you
12 said, similar to this one?

13 A: I used the same model and make, the same
14 everything",

15 In truth and fact, plaintiff did not make the test
16 referred to above with the "same everything", in that he made
17 no showing that he knew the entire history of the substitute
18 gun, the age of the gun, the number of rounds which had been
19 fired by said gun, any slight difference in specifications
20 which could have an effect on its firing characteristics.
21 Plaintiff, in making the test in this manner, violated Precept
22 (2) as stated in Paragraph V hereinabove, and incorporated by
23 reference herein.

24 (3) On February 24th, 1969, plaintiff was asked the
25 following questions in the People v. Sirhan case:

26 "Q And that is why, for example, in this
27 instance you wanted to use the original weapon
28 that is People's Exhibit No. 6, for the purpose
29 of making your test patterns?

30 A: No

31 Q: But you would have preferred to use People's
32 Exhibit 6 or one similar to it?

1 A: No, I don't believe I would. If I
2 might explain my answer counsel, in the
3 first place, we did not make that exacting
4 of a determination".

5 In truth and fact, the alleged murder weapon was
6 available to the plaintiff for testing and could have easily
7 been released to plaintiff as shown by the following:

8 "Q THE COURT: What you meant to say was
9 that you could have applied for a court order
10 That is as far as you could go, of course.

11 Q BY MR COOPER: But wouldn't the court
12 take judicial notice of the fact it would
13 be granted?

14 A THE COURT: Certainly."

15 Plaintiff, as a purported ballistics expert, should
16 know that it is basically illogical and a violation of Precept
17 (2) as stated in Paragraph V hereinabove, to use a substitute
18 gun for testing when the alleged weapon is available, since
19 the uncertainty of the results can never be resolved.

20 (3) On February 24th, 1969, plaintiff testified in
21 the Sirhan case, as follows:

22 "Now, these riflings are important from the
23 standpoint that different manufacturers have
24 different rifling specifications * * *."

25 In truth and fact, as stated in Precept (3) contained
26 in Paragraph (4) herein above set forth, and by reference inc-
27 corporated herein, each firearms manufacturer does not have its
28 own unique rifling specifications. Because of the fact that diff-
29 manufacturers may use land and groove specifications that are
30 identical or so closely similar that they cannot be different-
31 iated, it is impossible to determine in many instances that a
32 bullet has been fired by a gun of a certain manufacturer.

1 Plaintiff, again in said case, was asked the follow-
2 ing question and gave the following answer:

3 "Q: First of all I will direct your attent-
4 tion to the bullet fragments of People's
5 Exhibit 48 and People's 49, as being an en-
6 largement, as the most significant of those
7 fragments?

8 A: That is correct. In the case of People's
9 48, this was a bullet taken from Senator
10 Kennedy and the bullet was extremely or bad-
11 ly damaged which is well depicted here in
12 People's No. 49. This was damaged to the
13 point, and I say that these were Mini-Mag
14 ammunition which is the same ammunition as
15 previously used in my tests, they were
16 Mini-Mag ammunition that was fired from
17 the gun of the same ballistic rifling spec-
18 ifications as that of People's No. 6 but,
19 because of the damage, I cannot say posi-
20 tively that it was fired from that gun. In
21 the case of * * *,"

22 In truth and fact, since the bullet fragment in
23 question had suffered extensive deformation, it was impossible
24 to determine by any means what the true rifling specifications
25 were of the gun which had fired the bullet of which this frag-
26 ment was a part. Any measurements of land and groove specif-
27 ications on this deformed fragment could not determine what
28 these specifications were when the bullet emerged from the
29 muzzle of the gun and prior to the time it suffered the de-
30 formation. Such testimony violated Precept (3) contained in
31 Paragraph (V) herein above stated.

32 (4) Plaintiff testified in People vs. Sirhan:
" * * * that these were Mini-Mag ammunition"

1 which was untrue in that several different ammunition manu-
2 facturers utilize the same type of copper bullet coating and
3 differentiation is impossible, as stated in Precept (4) as
4 stated in Paragraph V hereinabove set forth and by reference
5 incorporated herein.

6 IX

7 That the statements contained in said letter as
8 follows:

9 " Although the inscription on this envel-
10 ope shows that gun No. H 18602 was physical
11 evidence in this case on June 6th, 1968, the
12 gun was reportedly destroyed by the Los
13 Angeles Police Department roughly one
14 month later in July, 1968. This is
15 shown in the teletype report of Exhibit
16 "C" attached."

17 is true in that by the testimony of plaintiff that he had used
18 the bullets contained in Exhibit 55 to run tests against the
19 bullets taken from the victims, and by the physical inscription
20 contained on Exhibit 55, made in the plaintiff's handwriting,
21 said gun was in the possession of plaintiff on June 6th, 1968.
22 That by virtue of the testing of said gun by plaintiff, and
23 it's comparison with the bullets taken from the victims as
24 hereinabove stated, said gun became physical evidence in said
25 case, and plaintiff, in his professional capacity in the Los
26 Angeles Police Department Scientific Investigation Division
27 Crime Laboratory , was under a duty to preserve all evidence
28 applicable to said case, including said gun, and not to allow
29 any such evidence to be destroyed, tampered with or in any
30 way altered from the time it came into his possession. See
31 pages 15 and 16 of Exhibit "A" attached hereto. Said gun was
32 reported destroyed by the Los Angeles Police Department in July

1 1968, see page 17 of Exhibit "A" attached hereto.

2 X

3 That the statement contained in said letter as follows:

4 " I find it very hard to believe that a man
5 of the professed expertise of Mr. Wolfer
6 could violate four of the basic precepts
7 of his profession in a single case by sheer
8 accident. I am more inclined to believe
9 that these violations were made in response
10 to an overzealous desire to help the cause
11 of the prosecution. The choice seems to
12 be rank incompetence on the one hand or
13 morbid motivation of the other."

14 is true in that defendant believes and upon information and
15 belief alleges that a person of the purported qualifications
16 of plaintiff could and would not, violate the basic principles
17 of his profession unless motivated by some other consideration
18 than to perform the duties of his office competently and with
19 honesty.

20 XI

21 That the statement in said letter as follows:

22 " CASE NO. 3. (SC# A234557) While Mr. Wolfer
23 did not violate any of the above cited Pre-
24 cepts, his handling of the physical evidence
25 amounted to scurrilous tampering. In a vain
26 attempt to make the physical evidence support
27 the prosecution's theory of the murder, he
28 made physical alterations of certain inscrip-
29 tions on three rifle cartridge cases which
30 were items of prosecution evidence. Please
31 see Exhibits "D", "E" and "F", attached here-
32 with. These photographs show that a total of

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15 characters have been altered on the three cartridge cases. Some of these alterations were made during the course of the trial. Mr. Wolfer admitted that he had made alterations on one of the cartridge cases but denied making any other alterations. "

is true in that plaintiff, during the trial of said action testified as follows:

"Q: Yes, sir. Now, it's hard for me to follow this, because of the noise and things, but there's a bunch of writings on these, some of which you've described. Can I assume that, with the exception of what you told his Honor about these things that were added by Mr. Lee, in your presence - - or by you; you know, like the "W" or the "1" or whatever - - that the markings on each of the bullets - - do you call them bullets?

A: That's fine, yes.

Q: (Continuing)- - the markings on each of those bullets is as you marked them originally?

A: So far as I recall.

Q: Okay.

A: Well, that may not be - - .

Q: What sir?

A: No, sir, that's not correct. Because when we examined the bullets, we - - my report made on July the 15th, 1968, indicated that Item No. 1 was positive; Item No. 2 was positive, and one item in No. 3 was positive. It was marked. Then one item in No. 3, when Mr. Lee

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examined it, which had been marked "Negative", we made a re-examination, and I changed the marking now to "Positive".

Q: I see. So, now the, if I can follow you, what you are saying is that all the marks are the same, and appear the same on these shells, except that on Item 3 where you changed the "Negative" to "Positive"?

A: Well, this is a mark not on Item 3. As I understand it, it is one of the items in Exhibit No. 7 of the court, which was marked Item No. 3 on the booking report."

In truth and fact, Item No. 1, page 18, of Exhibit "A", after careful microscopic examinations was found to have undergone the following alterations: The original marking "DW" has been retraced with a second marking tool in order to superimpose a second "DW". An original marking of "NEG" has been altered to "POS". On Item No. 2, Exhibit "E" attached to Exhibit "A" both the markings "DW" and "POS" have been retraced with a different marking tool. On Item No. 3 (Exhibit "F" attached to Exhibit "A") an original marking of "NEG" has been altered to "POS", as plaintiff has stated in his testimony. In addition, however, the original "DW" has been retraced with a second marking tool. A total of 15 alterations have been made on the three items of evidence, of which the plaintiff has denied making all but three, to-wit: The alteration of "NEG" to "POS" on Item No. 3. It is further true that the effort of the plaintiff was "a vain attempt to make the physical evidence support the prosecution's theory of murder", in that the theory of mis-fire was abandoned during trial, when it was ascertained the markings involved were extractor markings from running the bullets through the mechanism of the gun, and not evidence of mis-fire.

1 Said exhibits referred to above are attached hereto as pages 18,
2 19 and 20 of Exhibit "A", and by reference made a part hereof.

3 XII

4 That in furtherance of the truth of the statement
5 contained in said letter that "Mr. Wolfer is completely un-
6 qualified for the position" of Chief of the Los Angeles Police
7 Department Scientific Investigation Division Crime Laboratory,
8 defendant alleges that plaintiff has misrepresented his qual-
9 ifications as an expert in the following cases:

10 (1) Plaintiff testified on November 28th, 1967, in
11 People vs. Kirschke, A 222 633, as follows:

12 "Q: Have you had any education, training or
13 experience in the field of medicine, and I
14 recognize you are not a medical doctor, but
15 have you had any background in that subject?

16 A: That is correct. I'm not a medical doc-
17 tor. I was a pre-men student at the Univer-
18 sity of Southern California where I looked
19 at all types of anatomy courses, physiology
20 courses, and one human anatomy course where
21 we actually, two men were assigned a cadaver,
22 and we dissected the entire cadaver from top
23 to bottom."

24 Further, plaintiff testified:

25 "Q: I remember my efforts in zoology. You
26 cut up frogs and things like that, don't you,
27 in that study?

28 A: You cut up frogs, pigs, human beings."

29 On October 24, 1967, plaintiff testified as follows:

30 "Q: Have you had any education, training, or
31 experience in respect to photography?

32 A: Yes, I have. I have taken photograph

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courses at the University of Southern Calif-
ornia. I have taken what they call photo-
micrography and macrography courses at S.C.
* * *."

As shown by Exhibit "G" attached hereto, and by refer-
ence made a part hereof, plaintiff has never studied gross human
anatomy, photomicrography and macrography courses at the Univer-
sity of Southern California. In truth and fact, plaintiff knew
that gross human anatomy was a graduate course open only to
qualified graduate students or medical students actually regis-
tered for the course; in addition, plaintiff knew that with a
grade point average of 1.89 out of 4, he was ineligible for
acceptance in any graduate work or medical school where such
gross human anatomy course was offered. Such misrepresentation
by plaintiff of his educational background, when offered in a
court of law to qualify as an expert witness, makes him in-
eligible for the position presently under consideration by the
Civil Service Commission.

AND FOR A SEPARATE, FURTHER, AND AFFIRMATIVE DEFENSE
NUMBER FIVE, defendant alleges:

I

That the communication addressed to the Civil Service
Commission under date of May 28th, 1971, was privileged under
the provisions of the California Constitution Article 1, Section
10 and Article 1, Section 9.

AND FOR A SEPARATE, FURTHER, AND AFFIRMATIVE DEFENSE
NUMBER SIX, defendant alleges:

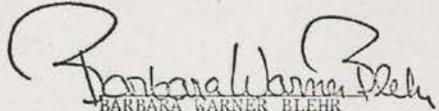
I

That the communication addressed to the Civil Service
Commission under date of May 28th, 1971, is and was privileged
by the Freedom of Speech provisions of the First Amendment of
the United States Constitution, in that they were published

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without actual malice, by a citizen, to a government agency,
to-wit: The Los Angeles Civil Service Commission, concerning
plaintiff, the temporary holder of an official office of the
City of Los Angeles, and State of California, to-wit: head of
the Los Angeles Police Department Scientific Division Crime
Laboratory, concerning his lack of qualifications for permanent
appointment thereto.

WHEREFORE, defendant prays that plaintiff take nothing
by his complaint, and that it be dismissed with costs to this
defendant, and for other and proper relief.


BARBARA WARNER BLEHR
In Pro Per

BARBARA WARNER BLEHR
ATTORNEY AT LAW
486 SOUTH SPRING STREET
LOS ANGELES, CALIFORNIA 90013
TELEPHONE (213) 624-2481

May 28, 1971

Mrs. Murriel M. Morse
General Manager Personnel Dept.
Civil Service Commission
Room 400, City Hall South
Los Angeles, California

Re: Appointment of De Wayne A. Wolfer

Dear Mrs. Morse:

A request is hereby made by the undersigned for a hearing before the Civil Service Commission as to the qualifications of the above named person to act as head of the Los Angeles Police Department Scientific Investigation Division Crime Laboratory.

It is my understanding that Mr. Wolfer is now acting head on a temporary basis for said laboratory, and that his appointment is due to become final July 1st. My belief that Mr. Wolfer is completely unqualified for the position is supported by the following considerations

(1) There are numerous fundamental precepts upon which the science of firearms identification is based. All criminalists and firearms examiners must abide by the precepts and disciplines of their profession. Six of these precepts, which Mr. Wolfer has violated, are listed below:

Precept (1) The positive identification of an evidence bullet as having been fired from a particular gun and no other must be based on a comparison of the evidence bullet with a test bullet recovered from the same evidence gun and no other.

Precept (2) The most accurate and reliable determination of the approximate distance between muzzle and victim (excluding contact) based on powder pattern distribution must be made with the actual evidence gun and no other. It is also important to use the same make and type of ammunition, preferably from the same batch or lot number. (When the evidence gun is not available, a similar gun may be used but the validity of the test is always more questionable.)

EXHIBIT "A"

Mrs. Marriell M. Morse
Page Two
May 28, 1971

Precept (3) The land and groove dimensions (part of the rifling specifications) may be identical or nearly identical between different firearms manufacturers.

Precept (4) Very similar copper coatings are used on many different makes of lead revolver bullets.

Precept (5) CLASS CHARACTERISTICS as shown by the rifling impressions on a fired bullet play absolutely no role in the identification of such a bullet as having been fired from one particular gun out of the entire world population of guns having the same class characteristics.

Precept (6) A single land of the rifling of a firearm can produce only one land impression on a fired bullet.

These precepts are expressions of basic common sense and are universally accepted. They are truisms in the same sense, for example, that the assertion "a single blade of a plow can cut only one furrow as it moves over the ground" is a truism. The violations of the above precepts by Mr. Wolfer will be pointed out briefly in two of the three cases abstracted herewith.

(2) CASE NO. 1. (SC# A222633) In this case Mr. Wolfer testified he had made a positive identification of the defendant's gun as the murder weapon. In making this identification Mr. Wolfer produced in evidence enlargements of ballistic comparison photomicrographs to support his testimony. A very thorough study of these photographs and the evidence bullets disclosed, however, that Mr. Wolfer had matched a single land impression on the test bullet with TWO different land impressions 120 degrees apart on the fatal bullet. This amounts to saying that a single blade of a plow cuts TWO furrows in the ground over which it moves - an obvious impossibility. His procedure and testimony are thus a clear-cut violation of Precept (6) and completely invalidates the identification of the defendant's gun as the murder weapon.

Mr. Wolfer also violated Precept (5) by indicating certain CLASS CHARACTERISTICS as part of the proof of "matching" between test and fatal bullets.

His testimony combined with his very esoteric photographic manipulations label his work in this instance nothing but perjury.

Exhibits substantiating these statements are in my possession.

EXHIBIT "A"

Mrs. Murriel M. Morse
Page Three
May 28, 1971

(3) CASE NO. 2. (SC# A233421) In this case Mr. Wolfer violated Precepts (1), (2), (3) and (4). He testified that the defendant's gun (Serial No. H53725) and no other was the single murder weapon which had fired three bullets into the bodies of three of the victims. The physical evidence, however, upon which his testimony was based established that the three above mentioned evidence bullets removed from victims were fired, not from the defendant's gun but in fact from a second similar gun with a Serial No. H18602. The only possible conclusion that must be reached is that two similar guns were being fired at the scene of the crime. Such a conclusion then leads unavoidably to the question: Which of the two guns fired the single fatal bullet? The presence of the second gun is firmly established in Exhibits A and B attached hereto which are photographs of Court Exhibit 55. This court exhibit is an envelope containing the test bullets which Mr. Wolfer matched with the three evidence bullets mentioned previously. The inscription on the envelope shows that the enclosed test bullets were fired from gun No. H18602 and not from the defendant's gun No. H53725. This is a violation of Precept (1).

Although the inscription on this envelope shows that gun No. H18602 was physical evidence in this case on June 6, 1968, the gun was reportedly destroyed by the Los Angeles Police Department roughly one month later in July, 1968. This is shown in the teletype report of Exhibit C attached.

Substantiating details of the other violations by Mr. Wolfer can be made available.

I find it very hard to believe that a man of the professed expertise of Mr. Wolfer could violate four of the basic precepts of his profession in a single case by sheer accident. I am more inclined to believe that these violations were made in response to an over-zealous desire to help the cause of the prosecution. The choice seems to be rank incompetence on the one hand or morbid motivation on the other.

(4) CASE NO. 3. (SC# A234557) While Mr. Wolfer did not violate any of the above cited Precepts, his handling of the physical evidence amounted to scurrilous tampering. In a vain attempt to make the physical evidence support the prosecution's theory of the murder, he made physical alterations of certain inscriptions on three rifle cartridge cases which were items of prosecution evidence. Please see

EXHIBIT "A"

Mrs. Murriel M. Morse
Page Four
May 28, 1971

Exhibits D, E and F, attached herewith. These photographs show that a total of 15 characters have been altered on the three cartridge cases. Some of these alterations were made during the course of the trial. Mr. Wolfer admitted that he had made alterations on one of the cartridge cases but denied making any other alterations.

The undersigned has in her possession the documentary evidence to support the above. In addition, attached hereto are three affidavits of criminalists supporting the fundamental precepts as set forth in the above.

Very truly yours,

Barbara Warner Blehr
BARBARA WARNER BLEHR

EWB:sl

cc: Edward Davis,
Chief of Police,
Los Angeles

Los Angeles Times

Robert L. Meyer,
United States Attorney

EXHIBIT "A"

DECLARATION

My name is Raymond H. Pinker and I reside at 4645 San Andreas Avenue, Los Angeles, California. During the period of time from 1929 to 1965 I was employed by the Los Angeles Police Department Crime Laboratory as a Criminalist and Chief Forensic Chemist. After my retirement from the Los Angeles Police Department, I was Associate Professor in the Department of Police Science and Administration at Los Angeles State College. I was also head of the Master of Science program in criminalistics at Los Angeles State College until 1969. I am now retired.

Any expert testimony which I might give in a case involving firearms identification would be based, at least in part, on the following six Precepts which I consider inviolable.

Precept (1) The positive identification of an evidence bullet as having been fired from a particular gun and no other must be based on a comparison of the evidence bullet with a test bullet recovered from the same evidence gun and no other.

My Opinion: No identification can be made if the test bullet is recovered from some gun other than the evidence gun, even though the test gun may be of the same make and model and have a serial number very close to the serial number of the evidence gun. Such a procedure is a violation of Precept (1).

EXHIBIT "A"

Precept (2) The most accurate and reliable determination of the approximate distance between muzzle and victim (excluding contact) based on powder pattern distribution must be made with the actual evidence gun and no other. It is also important to use the same make and type of ammunition, preferably from the same batch or lot number.

My Opinion: The use of a gun other than the evidence gun, even though it may be the same make and model with a serial number very close to the serial number of the evidence gun is a violation of Precept (2).

(When the evidence gun is not available, a similar gun may be used but the validity of the test is always questionable)

Precept (3) The land and groove dimensions (part of the rifling specifications) may be identical or nearly identical between different firearms manufacturers.

My Opinion: A bullet or bullet fragment cannot be identified as having been fired from a particular make of gun on the basis of land and groove dimensions alone.

Precept (4) Very similar copper coatings are used on many different makes of lead revolver bullets.

My Opinion: The positive identification of the make of ammunition from a badly deformed bullet fragment, based on visual, microscopic or photographic examinations of traces of the copper coating attached to the fragment, cannot be made.

EXHIBIT "A"

Precept (5) CLASS CHARACTERISTICS as shown by the rifling impressions on a fired bullet play absolutely no role in the identification of such a bullet as having been fired from one particular gun out of the entire world population of guns having the same class characteristics.

My Opinion: It is a misrepresentation to claim that one or more CLASS CHARACTERISTICS on a fired bullet contribute in any degree to identifying the bullet as having been fired from any particular gun and no other.

Precept (6) A single land of the rifling of a firearm can produce only one land impression on a fired bullet.

My Opinion: An alleged positive identification of an evidence bullet in which it is shown that a single rifling land produced two different land impressions on the same evidence bullet is a violation of Precept (6). The alleged positive identification is therefore not valid.

I declare under penalty of perjury that the foregoing is true and correct.

Raymond H. Pinker

Witness

Monte L. Dawson

Executed on May 24, 1971
at Los Angeles, California.

EXHIBIT "A"

DECLARATION

My name is LeMoyné Snyder and I reside at 325 Valley View Drive, Paradise, California. I am a doctor of medicine and also a member of the Bar and for many years have been engaged in the field of legal medicine and in particular homicide investigation. Expertise in this field requires a thorough knowledge of the fundamentals of firearms identification and over several decades I have pursued studies in this field. My book HOMICIDE INVESTIGATION is a standard text in many police academies and it contains a chapter dealing with these fundamentals.

Any expert testimony which I might give in a case involving firearms identification would be based, at least in part, on the following six Precepts which I consider inviolable.

Precept (1) The positive identification of an evidence bullet as having been fired from a particular gun and no other must be based on a comparison of the evidence bullet with a test bullet recovered from the same evidence gun and no other.

Opinion: No identification can be made if the test bullet is recovered from some gun other than the evidence gun, even though the test gun may be of the same make and model and have a serial number very close to the serial number of the evidence gun. Such a procedure is a violation of Precept (1).

EXHIBIT "A"

Precept (2) The most accurate and reliable determination of the approximate distance between muzzle and victim (excluding contact) based on powder pattern distribution must be made with the actual evidence gun and no other. It is also important to use the same make and type of ammunition, preferably from the same batch or lot number.

Opinion: The use of a gun other than the evidence gun, even though it may be the same make and model with a serial number very close to the serial number of the evidence gun is a violation of Precept (2).

(When the evidence gun is not available, a similar gun may be used but the validity of the test is always questionable)

Precept (3) The land and groove dimensions (part of the rifling specifications) may be identical or nearly identical between different firearms manufacturers.

Opinion: A bullet or bullet fragment cannot be identified as having been fired from a particular make of gun on the basis of land and groove dimensions alone.

Precept (4) Very similar copper coatings are used on many different makes of lead revolver bullets.

Opinion: The positive identification of the make of ammunition from a badly deformed bullet fragment, based on visual, microscopic or photographic examinations of traces of the copper

coating attached to the fragment, cannot be made.

Precept (5) CLASS CHARACTERISTICS as shown by the rifling impressions on a fired bullet play absolutely no role in the identification of such a bullet as having been fired from one particular gun out of the entire world population of guns having the same class characteristics.

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Opinion: An alleged positive identification of an evidence bullet in which it is shown that a single rifling land produced two different land impressions on the same evidence bullet is a violation of Precept (6). The alleged positive identification is therefore not valid.

I declare under penalty of perjury that the foregoing is true and correct.

W. Eugene Snyder

Witness *Virginia B. Randle*

Executed on May 19th, 1971
at Paradise, California

EXHIBIT "A"

DECLARATION

My name is Walter Jack Cadman and I reside at 1209 W. Jacaranda Place, Fullerton, California. I am a graduate of the University of California at Berkeley holding a Bachelor of Arts degree with a major in Technical Criminology. I have a California Special Teaching Credential to teach Police Science courses. From September, 1948 to date I have been employed by the Orange County Sheriff's Department Criminalistics Laboratory and as Chief Criminalist I have occasion to verify the firearms identification work and am trained and experienced in the procedures and methods of firearms identification. I have presented approximately 24 scientific papers to criminalistic societies, law enforcement groups and chemical societies extending over a twelve year period. These papers deal with various technical problems in the general field of criminalistics. I am a member of the following professional affiliations:

Fellow and past Chairman of the Criminalistics Section of the American Academy of Forensic Sciences.

Southern California Section of the Society for Applied Spectroscopy.

American Chemical Society.

California Association of Criminalists.

American Association for the Advancement of Science.

National Association of Police Laboratories.

EXHIBIT "A"

Any expert testimony which I might give in a case involving firearms identification would be based, at least in part, on the following six Precepts which I consider inviolable.

Precept (1) The positive identification of an evidence bullet as having been fired from a particular gun and no other must be based on a comparison of the evidence bullet with a test bullet recovered from the same evidence gun and no other.

My Opinion: No identification can be made if the test bullet is recovered from some gun other than the evidence gun, even though the test gun may be of the same make and model and have a serial number very close to the serial number of the evidence gun. Such a procedure is a violation of Precept (1).

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My Opinion: The use of a gun other than the evidence gun, even though it may be the same make and model with a serial number very close to the serial number of the evidence gun is a violation of Precept (2).

(When the evidence gun is not available, a similar gun may be used but the validity of the test is always questionable)

Precept (3) The land and groove dimensions (part of the rifling specifications) may be identical or nearly identical between different firearms manufacturers.

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My Opinion: It is a misrepresentation to claim that one or more CLASS CHARACTERISTICS on a fired bullet contribute in any degree to identifying the bullet as having been fired from any particular gun and no other.

Precept (6) A single land of the rifling of a firearm can produce only one land impression on a fired bullet.

My Opinion: An alleged positive identification of an evidence bullet in which it is shown that a single rifling land produced two different land impressions on the same evidence bullet is a violation of Precept (6). The alleged positive identification is therefore not valid.

I declare under penalty of perjury that the foregoing is true and correct.

[Handwritten Signature]

Witness *[Handwritten Signature]*

Executed on May 25, 1971,
at Fullerton, California.

15

A233421

CASE NO.

EXHIBIT 55

ADMITTED IN EVIDENCE

LOS AN
CRIM

FEB 24 1969

NAME Sivb
ADDRESS _____
MAKE T4J
NO. H1866
CRIME 187

WILLIAM G. SHARP, County Clerk
BY C. Nicholson
DEPUTY

EXHIBIT "A" 15

H-18602-CADET MODEL

A

LOS ANGELES POLICE DEPT.
CRIME LAB TEST SHOT

NAME Sirhan, S. B. DATE 6-6-68

ADDRESS _____

MAKE F4J CAL. 22 TYPE Roz.

NO. H18602 DR. 68-521416

CRIME 187P.C. OFFICER _____

H-18602-CADET MODEL

EXHIBIT "A"
-16-

B

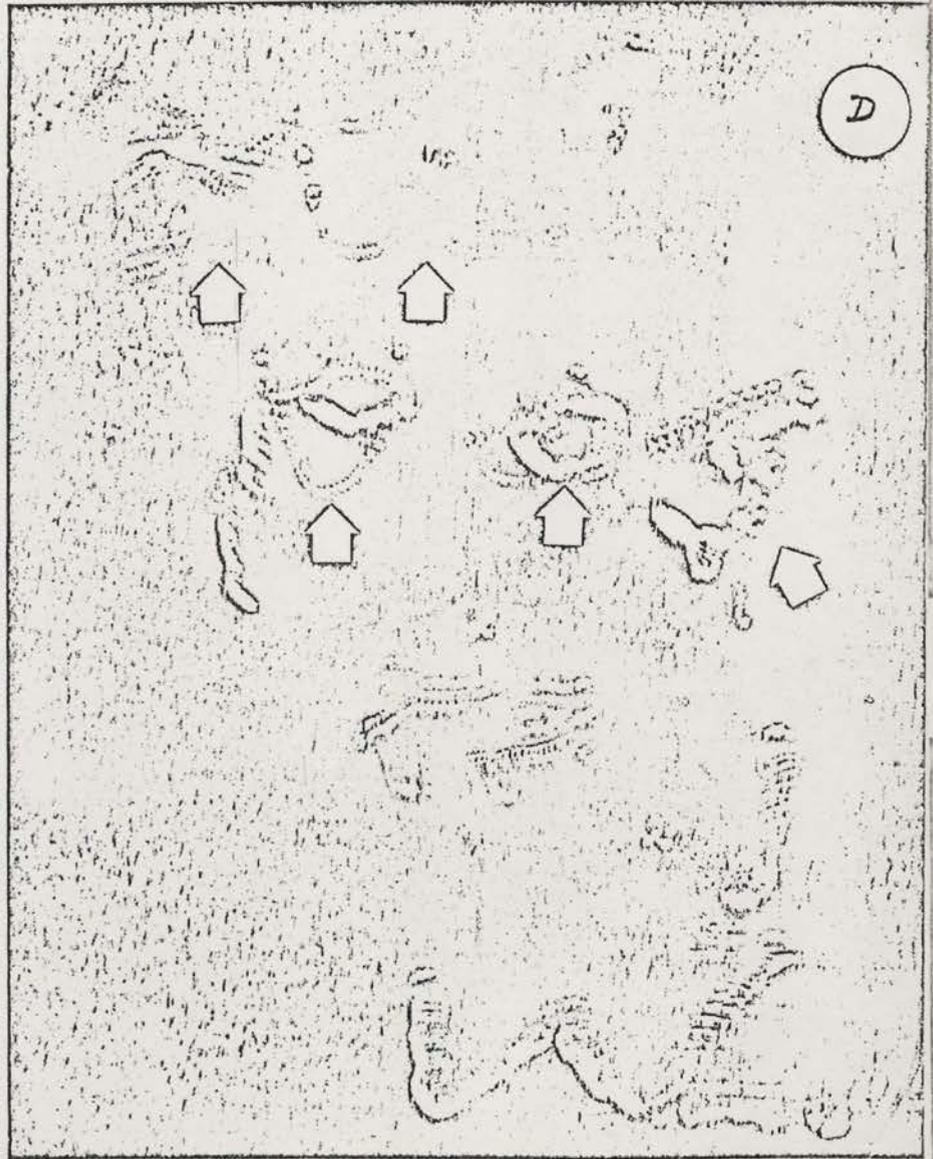
112570 1810
OCS 1410
N CII 503 OCS
SO SAN ANA
ATTN SGT ADELSPERGER/1D SGT
11-25-70 1808 PST
REUR 68 OCS DATE

BUR FILES REVEAL A .22 CAL IVER JOHNSON SERIAL H18602 REPORTED
DESTROYED 7-00-68 BY PD LOS ANGELES CR 67 021065
NO WANTS

CII PROPERTY IDENT UNIT MC GILLIVARY AM/RM

C

EXHIBIT "A"



32

EXHIBIT "A"

-18-

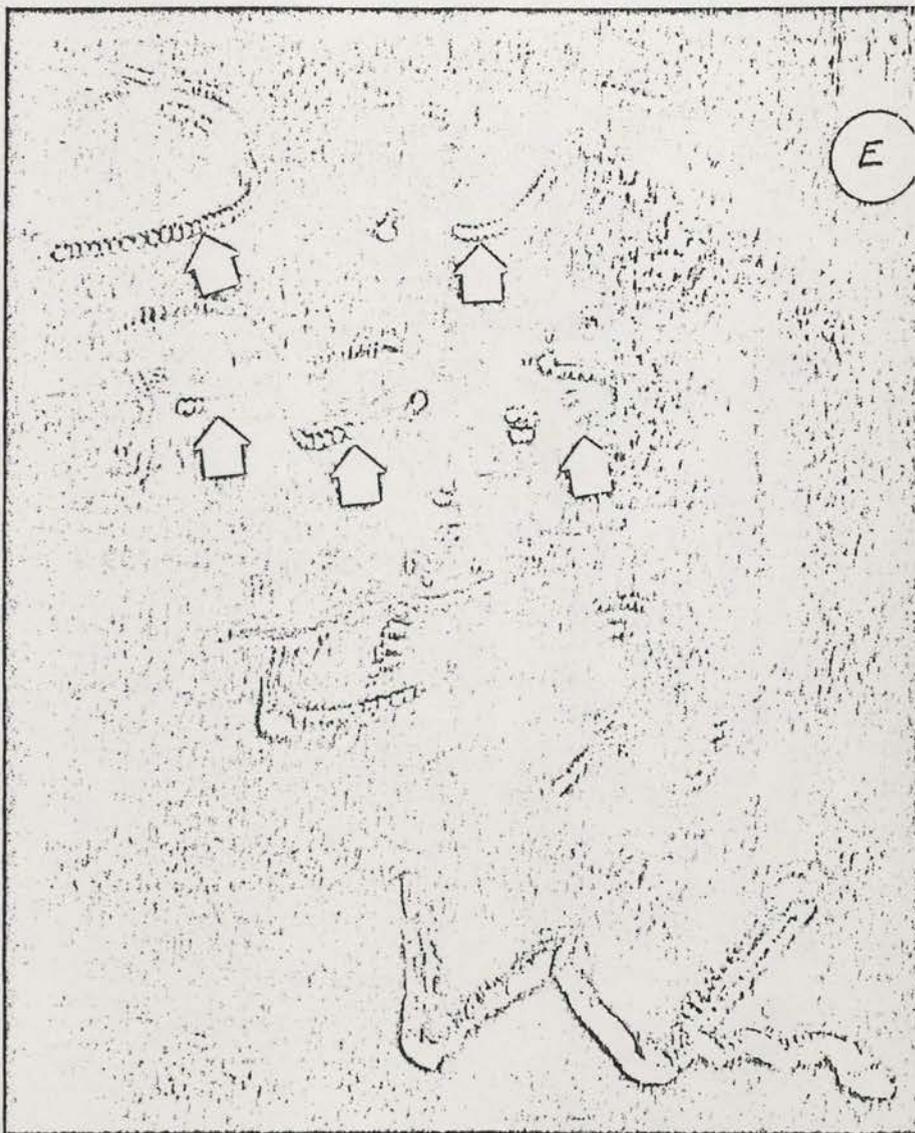


EXHIBIT "A"



32

EXHIBIT "A"
-20-

AFFIDAVIT OF CHARLES M. WILSON

STATE OF WISCONSIN)
COUNTY OF DANE) SS.

CHARLES M. WILSON being first duly sworn declares as follows:

My business and occupation is a criminalist and firearms expert. I have had the following special training:

I attended the University of California at Berkeley and for eight years was a staff member, assistant professor of police science and research engineer for Scientific Crime Detection Laboratory of Northwestern University School of Law, Chicago, Illinois. That for nine years I was a staff member and director of the Chicago Police Department Crime Laboratory, Chicago, Illinois. I resigned that position to organize and establish the Wisconsin State Crime Laboratory in Madison, Wisconsin, where I was superintendent for twenty-two years and administrator of the Crime Laboratory Division Wisconsin Department of Justice, Madison, Wisconsin. For thirty-nine years I was a lecturer and consultant in laboratory methods of judicial proof and during this time, was a lecturer, consultant and advisor to U. S. military branches, including CID, located in Chicago, concerning the application of laboratory methods of judicial proof in investigations. I have visited principal government and commercial arms and ammunition plants in the U. S. to study manufacturing processes as they relate to the malfunctioning of firearms and ammunition components involved in testing and identification of firearms and ammunition in criminal and civil proceedings and investigations. I was a consultant and adviser to joint U. S. Military Assistance Group, National Bureau of Investi-

EXHIBIT "B"

gation of the Philippine Government in Manila and participated in the First Inter-American Conference on Legal Medicine and Forensic Science, sponsored by the Department of Justice, Puerto Rico, and the University of Puerto Rico School of Law. I am a member of the following Professional or Scientific Organizations:

American Academy of Forensic Sciences, Criminalistic Section;
Life Member, International Association Chiefs of Police;
International Association for Identification;
International Association Arson Investigators;
Chicago Special Agents Association;
Past President and long time member Chicago Physics Club;
Special Agents Association, Chicago.

Attached hereto and marked Exhibit A and incorporated herein is a list of the publications written by me.

Any expert testimony which I might give in a case involving firearms identification would be based, at least in part, on the following six Precepts which I consider inviolable.

Precept (1) The positive identification of an evidence bullet as having been fired from a particular gun and no other must be based on a comparison of the evidence bullet with a test bullet recovered from the same evidence gun and no other.

My Opinion: No identification can be made if the test bullet is recovered from some gun other than the evidence gun, even though the test gun may be of the same make and model and have a serial number very close to the serial number of

the evidence gun. Such a procedure is a violation of Precept (1).

Precept (2) The most accurate and reliable determination of the approximate distance between muzzle and victim (excluding contact) based on powder pattern distribution must be made with the actual evidence gun and no other. It is also important to use the same make and type of ammunition, preferably from the same batch or lot number.

My Opinion: The use of a gun other than the evidence gun, even though it may be the same make and model with a serial number very close to the serial number of the evidence gun is a violation of Precept (2).

(When the evidence gun is not available, a similar gun may be used but the validity of the test is always questionable)

Precept (3) The land and groove dimensions (part of the rifling specifications) may be identical or nearly identical between different firearms manufacturers.

My Opinion: A bullet or bullet fragment cannot be identified as having been fired from a particular make of gun on the basis of land and groove dimensions alone.

Precept (4) Very similar copper coatings are used on many different makes of lead revolver bullets.

My Opinion: The positive identification of the make of ammunition from a badly deformed bullet fragment, based on visual, microscopic or photographic examinations of traces of the copper coating attached to the fragment, cannot be made.

Precept (5) CLASS CHARACTERISTICS as shown by the rifling impressions on a fired bullet play absolutely no role in the identification of such a bullet as having been fired from one particular gun out of the entire world population of guns having the same class characteristics.

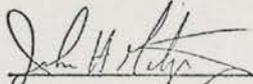
My Opinion: It is a misrepresentation to claim that one or more CLASS CHARACTERISTICS on a fired bullet contribute in any degree to identifying the bullet as having been fired from any particular gun and no other.

Precept (6) A single land of the rifling of a firearm can produce only one land impression on a fired bullet.

My Opinion: An alleged positive identification of an evidence bullet in which it is shown that a single rifling land produced two different land impressions on the same evidence bullet is a violation of Precept (6). The alleged positive identification is therefore not valid.

Executed on May 27, 1971 at Madison, Wisconsin.

Subscribed and Sworn to before me
this 27th day of May, 1971.



Notary Public In and For Said
County and State

EXHIBIT "B"

Publications by Charles M. Wilson

- Observations in a Case Involving Powder Patterns and the Fallibility of Eyewitnesses. The American Journal of Police Science, incorporated in THE JOURNAL OF CRIMINAL LAW AND CRIMINOLOGY, Vol. 26, No. 4, November, 1935, pp. 601-607.
- Two New Instruments for the Measurement of "Class" Characteristics of Fired Bullets. The American Journal of Police Science, incorporated in THE JOURNAL OF CRIMINAL LAW AND CRIMINOLOGY, Vol. 27, No. 1, May-June, 1936, pp. 97-107.
- An Electron-Tube Rifling Depth Micrometer. The American Journal of Police Science, incorporated in THE JOURNAL OF CRIMINAL LAW AND CRIMINOLOGY, Vol. 27, No. 6, March-April, 1937, pp. 887-894.
- The Comparison and Identification of Wire in a Coal Mine Bombing Case. The American Journal of Police Science, incorporated in THE JOURNAL OF CRIMINAL LAW AND CRIMINOLOGY, Vol. 28, No. 6, 1938, pp. 873-903.
- The Identification of Extractor Marks on Fired Shells. The American Journal of Police Science, incorporated in THE JOURNAL OF CRIMINAL LAW AND CRIMINOLOGY, Vol. 29, No. 5, January-February, 1939, pp. 724-730.
- An Unusual Suicide. The American Journal of Police Science, incorporated in THE JOURNAL OF CRIMINAL LAW AND CRIMINOLOGY, Vol. 36, No. 3, September-October, 1945, pp. 220-221.
- The Comparison and Identification of Wire in a Coal Mine Bombing Case. Wire and Wire Products (reprinted from The American Journal of Police Science as listed above), Part I, Vol. 13, No. 9, September, 1938, pp. 444-453; Part II, Vol. 13, No. 12, December, 1938, pp. 723-727, 746.
- The Preservation and Transportation of Firearms Evidence (Chapter 8 of Homicide Investigation by LeMoyne Snyder, published by Thomas, Springfield, Illinois, 1944). The first edition had eight printings and a second edition was published in 1967. Chapter 8 has never been revised. 50,000 copies of the English edition have been sold. German, Japanese and Spanish editions have also been published.

Principal editor, Scientific and Laboratory Methods of Judicial Proof Manual. University of Wisconsin Extension Division, Madison, 1951, revised 1953, 1955, 1957, and 1959; replaced in 1959 with a series of Training Aids on Physical Evidence (21 in series). Manual and training aids were distributed widely to law enforcement personnel in Wisconsin.

A System of Filing and Recording Firearms Case and Reference Materials. Privately printed and distributed to members of the American Academy of Forensic Sciences, 1961.

Evidence in Firearms Cases. The American Rifleman, Vol. 112, No. 12, December, 1964, pp. 50-53.

Manual for Prosecuting Attorneys, (two Vols.) Practicing Law Institute, New York, 1956, Vol. I, pp. 1-8. (Material on pages designated reprinted with permission of Wisconsin State Crime Laboratory and University of Wisconsin Extension Division from the 1954 revision of Scientific and Laboratory Methods of Judicial Proof.)

Criminal Investigation and Physical Evidence Handbook by Staff, Wisconsin State Crime Laboratory, Department of Justice, under the supervision of G. M. Wilson, State of Wisconsin, Madison, 1969. To date, 21,000 copies have been distributed to law enforcement personnel and other persons interested in the law enforcement field.



Place du Château 5
1005 LAUSANNE
Tél. (021) 21 64 10

UNIVERSITÉ DE LAUSANNE
INSTITUT DE POLICE SCIENTIFIQUE ET DE CRIMINOLOGIE

DECLARATION

My name is Jacques HATYER and I reside at 14, rue Voltaire, 1006 Lausanne (Switzerland). I am a graduate of the University of Lausanne (Switzerland) and got in 1946 the "diplôme d'études de police scientifique" and in 1957 the "diplôme d'études de criminologie". I am also a graduate of the University of Lyons (France) and got in 1949 the title of "docteur de l'Université de Lyon" mention très honorable.

From October 1946 to December 1947, I was assistant of late Dr. Edmond LECHE at the "laboratoire interrégional de police technique de Lyon" (France). From January to December 1948, I was private assistant of late Professor H.-A. BICHSEL at the "Institut de police scientifique et de criminologie" de l'Université de Lausanne and in the same time criminologist at the police laboratory of the "police cantonale vaudoise", in Lausanne. From January 1949 to October 1963, I was assistant and chief assistant at the "Institut de police scientifique et de criminologie" of the University of Lausanne, responsible for the practical training of students in criminalistics, specially in the field of firearms identification. From October 1963 on, I was named as professor at the University of Lausanne for criminalistics and photography and as director of the "Institut de police scientifique et de criminologie".

As professor at the University and director of the institute, I am responsible for the teaching of criminalistics, specially in the field of firearms; I appeared many times in courts in Switzerland in firearms identification's cases.

I am an active member of the "Chambre suisse des experts judiciaires techniques et scientifiques", advisor of the International Criminal Police Organisation - INTERPOL (1965) and corresponding member of the American Society of Questioned Document Examiners and I am also instructor of police corps in Switzerland.

Any expert testimony which I might give in a case involving firearms identification would be based, at least in part, on the following six Precepts which I consider inviolable.

EXHIBIT "C"

-1-

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Precept (1) : The positive identification of an evidence bullet as having been fired from a particular gun and no other must be based on a comparison of the evidence bullet with a test bullet recovered from the same evidence gun and no other.

Opinion : No identification can be made if the test bullet is recovered from some gun other than the evidence gun, even though the test gun may be of the same make and model and have a serial number very close to the serial number of the evidence gun. Such a procedure is a violation of Precept (1).

Precept (2) : The most accurate and reliable determination of the approximate distance between muzzle and victim (excluding contact) based on powder pattern distribution must be made with the actual evidence gun and no other. It is also important to use the same make and type of ammunition, preferably from the same batch or lot number.

Opinion : The use of a gun other than the evidence gun, even though it may be the same make and model with a serial number very close to the serial number of the evidence gun is a violation of Precept (2). (When the evidence gun is not available, a similar gun may be used but the validity of the test is always questionable).

Precept (3) : The land and groove dimensions (part of the rifling specifications) may be identical or nearly identical between different firearms manufacturers.

Opinion : A bullet or bullet fragment cannot be identified as having been fired from a particular make of gun on the basis of land and groove dimensions alone.

Precept (4) : Very similar copper coatings are used on many different makes of lead revolver bullets.

Opinion : The positive identification of the make of ammunition from a badly deformed bullet fragment, based on visual, microscopic or photographic examinations of traces of the copper coating attached to the fragment, cannot be made.

Precept (5) : CLASS CHARACTERISTICS as shown by the rifling impressions on a fired bullet play absolutely no role in the identification of such a bullet as having been fired from one particular gun out of the entire world population of guns having the same class characteristics.

Opinion : It is a misrepresentation to claim that one or more CLASS CHARACTERISTICS on a fired bullet contribute in any degree to identifying the bullet as having been fired from any particular gun and no other.

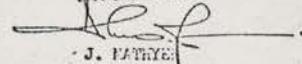
Precept (6) : A single land of the rifling of a firearm can produce only one land impression on a fired bullet.

Opinion : An alleged positive identification of an evidence bullet in which it is shown that a single rifling land produced two different land impressions on the same evidence bullet is a violation of Precept (6). The alleged positive identification is therefore not valid.

I declare under penalty of perjury that the foregoing is true and correct.

Lausanne, June 24, 1971.

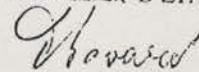
Professeur J. MATHYER
Institut de Police scientifique et
de criminologie - Pl. du Château 3
LAUSANNE


J. MATHYER

No. 524 VU A LA CHANCELLERIE D'ÉTAT, POUR LÉGALISATION
DE LA SIGNATURE ET DU SCEAU Du professeur J. MATHYER,
à l'Institut de police scientifique et de criminologie de
l'Université de Lausanne (vaud, Suisse).
LAUSANNE, LE 25 juin 1971.



pr LE CHANCELIER D'ÉTAT


vice-chancelier



DECLARATION

My name is Lowell W. Bradford and I reside at 31 N. Carlyn Ave., Campbell, CA 95008. I am the Director of the Laboratory of Criminalistics, which is a Division of the Department of District Attorney of Santa Clara County, California. I also engage in private practice as a Physical Evidence Consultant.

Attached as Appendix I is an excerpt of Curriculum Vitae which is pertinent to forensic firearms examination and the general practice of Criminalistics. All of the firearms identification problems of proof concerning investigations of the cities and unincorporated areas of the County of Santa Clara and the training of my professional staff in the handling of these matters has been my responsibility for twenty-three years. I have also been involved in the problem of proof concerning forensic firearms matters as a consultant to other municipal agencies, defense attorneys and in civil litigation.

Any expert testimony which I might give in a case involving firearms identification would be based, at least in part, on the following six Precepts which I consider inviolable.

Precept (1) The positive identification of an evidence bullet as having been fired from a particular gun and no other must be based on a comparison of the evidence bullet with a test bullet recovered from the same evidence gun and no other.

My Opinion: No identification can be made if the test bullet is recovered from some gun other than the evidence gun, even though the test gun may be of the same make and model and have a serial number very close to the serial number of the evidence gun. Such a procedure is a violation of Precept (1).

Precept (2) The most accurate and reliable determination of the approximate distance between muzzle and victim (excluding contact) based on powder pattern distribution must be made with the actual evidence gun and no other. It is also important to use the same make and type of ammunition, preferably from the same batch or lot number.

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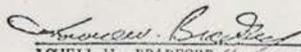
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My Opinion: It is a misrepresentation to claim that one or more CLASS CHARACTERISTICS on a fired bullet contribute in any degree to identifying the bullet as having been fired from any particular gun and no other.

Precept (6) A single land of the rifling of a firearm can produce only one land impression on a fired bullet.

My Opinion: An alleged positive identification of an evidence bullet in which it is shown that a single rifling land produced two different land impressions on the same evidence bullet is a violation of Precept (6). The alleged positive identification is therefore not valid.

I declare under penalty of perjury that the foregoing is true and correct.


LOWELL W. BRADFORD

WITNESS: Ann Marie Celak Executed on the 11th day of June, 1971
at San Jose, California

Page 2 of 2

EXHIBIT "D"

-2-

APPENDIX I

EXCERPT OF BIOGRAPHICAL INFORMATION

BRADFORD, LOWELL W.

EDUCATION:

1. B.S. - College of Chemistry, University of California, Berkeley, 1941
2. Graduate student 1946-47, Div. of Biochemistry of Medical School, University of California, Berkeley. 1968-70, School of Criminology.

WORK EXPERIENCE:

1. Ordnance Officer in U.S. Army, WWII, specializing in ballistics training, field service of weapons and ammunition.
2. State Criminologist, Department of Justice, Sacramento, California - June, 1947 - December, 1947
3. Director, Laboratory of Criminalistics, Department of District Attorney, County of Santa Clara, California - December, 1947 to present time.
4. Consultant in Physical Evidence and Criminalistics -- Case work and consultant in selected cases involving Forensic Science in civil litigation and for law enforcement agencies in other counties. Court appointments to advise defense counsel in criminal cases. Study and make recommendations for organization and management of Forensic Science systems for cities, counties and states. Consultant to research organization in connection with systems for solving problems in Forensic Science.
5. Responsibility for conduct of Criminalistics program at University of California, Berkeley 1970-71, Fall 1970.

TEACHING APPOINTMENTS:

1. Assistant Professor of Police, San Jose State College, 1949-1960.
2. Lecturer in Criminology, 1952-1954, City College of San Francisco
3. Lecturer in Criminalistics 1970-71, University of California, Berkeley. Fall, 1970.

EDITORIAL APPOINTMENTS:

1. Editorial Consultant -- Journal of Forensic Sciences.
2. Editorial Consultant -- California Association of Criminalists (Journal of the Forensic Science Society).

PROFESSIONAL AFFILIATIONS:

1. American Academy of Forensic Sciences (Fellow).
2. American Chemical Society.
3. California Association of Criminalists
4. Forensic Science Society (of Great Britain).
5. National Rifle Association (Life Member).
6. Photographic Society of America.
7. Royal Microscopical Society (of Great Britain).
8. Association of Firearm and Tool Mark Examiners.
9. ASTM Committee on Forensic Science

EXHIBIT "D"

PROFESSIONAL ORGANIZATION EXECUTIVE APPOINTMENTS:

1. Executive-Secretary, California Association of Criminalists, 1952-1956.
2. Chairman, Criminalistics Section, American Academy of Forensic Sciences 1957-1958.
3. Executive Committee, American Academy of Forensic Sciences, 1966-1967.

PUBLICATIONS IN THE PROFESSIONAL AND SCIENTIFIC MEDIA

A. BOOKS

1. KIRK, Paul L., and BRADFORD, Lowell W., The Crime Laboratory, "Organization and Administration", Charles Thomas, 1965
2. Chapter on Firearms Identification in Gradwohl's "Forensic Medicine", edited by Dr. Francis Camps, published by John Wright & Sons, Ltd., London, 1968 (Chapter 20, and p693)

B. BOOK REVIEWS

1. "Review of 'The Identification of Firearms and Forensic Ballistics'". J. Crim. Law & Police Science Vol 43 No. 3 1952 (420-421)
2. "Review of 'Methods of Forensic Science - Vol. III'". J. Crim. Law, Criminology and Police Science, Vol. 56 No. 3 1965 (394-396)
3. "Criminalistics 'Journal of Forensic Sciences'". Vol. 13, No. 3 July 1968 (414)
4. "The Crime Laboratory 'Journal of Forensic Sciences'". Vol. 14, No. 3 July 1969 (404)
5. "Interior Ballistics, How A Gun Converts Chemical Energy Into Projectile Motion 'Journal of Forensic Sciences'". Vol. 14, No. 3, July 1969 (407)

C. C. JOURNAL ARTICLES

Firearms:

1. "The Identification of a Particular Make of Firearm from a Fired Bullet" Identification News, March p3-5 -- July Vol. 3 No. 7 pl-5 (1953)
2. "Problems and Advantages of Test Firing Weapons into Water" J. of the Forensic Science Society Vol 6., No. 2 April (1966)

General Criminalistics and Forensic Science:

1. "Microscopic Evidence in Criminal Cases" Temple Law Quarterly Vol. 31 No. 4 (1958) (330--340)
2. "Physical Evidence Bulletin-Manual" Published by Laboratory of Criminalistics, San Jose, California, 1959, Revised 1965, 1970
3. "The California Association of Criminalists" J. Crim. Law, Criminology, and Police Science, Vol. 53 No. 3 Sept. (1962) (375-379)
4. "Physical Evidence Examination, An Orientation for Lawyers" Hawaii Bar Journal Vol. 1 No. 8 October (1963) (29-32).
5. "General Criminalistics in the Courtroom" Journal of Forensic Sciences Vol. 11 No. 3 July (1966)
6. "Concepts in Planning a Criminalistics Operation", Presented at the American Academy of Forensic Sciences 19th Annual Meeting, February, 1967 -- submitted to J. of Forensic Sciences
7. "Criminalistics Looks Forward" -- Presented at the Second National Symposium on Law Enforcement Science and Technology, Chicago, Illinois, April 18, 1968 J. Crim. Law, Criminology and Police Science, Vol. 60, No. 1 (1969) pp 127-130

C. JOURNAL ARTICLES (CONTINUED)

(General Criminalistics and Forensic Science)

8. "Scanning Electron Microscopy -- Application Potential in Criminalistics"
Journal of Forensic Sciences, Vol. 15, No. 1, January 1970.
9. "Research and Development Needs in Criminalistics" Proceedings of the
Third National Symposium on Law Enforcement Science and Technology,
Chicago, Ill., April 1970.

EXHIBIT "D"

-5-

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DECLARATION

Any expert testimony which I might give in a case involving fire-arms identification would be based, at least in part, on the following six Precepts which I consider inviolable.

Precept (1) The positive identification of an evidence bullet as having been fired from a particular gun and no other must be based on a comparison of the evidence bullet with a test bullet recovered from the same evidence gun and no other.

Opinion: No identification can be made if the test bullet is recovered from some gun other than the evidence gun, even though the test gun may be of the same make and model and have a serial number very close to the serial number of the evidence gun. Such a procedure is a violation of Precept (1).

Precept (2) The most accurate and reliable determination of the approximate distance between muzzle and victim (excluding contact) based on powder pattern distribution must be made with the actual evidence gun and no other. It is also important to use the same make and type of ammunition, preferably from the same batch or lot number.

EXHIBIT "E"

Opinion: The use of a gun other than the evidence gun, even though it may be the same make and model with a serial number very close to the serial number of the evidence gun is a violation of Precept (2). (When the evidence gun is not available, a similar gun may be used but the validity of the test is always more questionable.)

Precept (3) The land and groove dimensions (part of the rifling specifications) may be identical or nearly identical between different firearms manufacturers.

Opinion: In many firearms of a given calibre, the land and groove dimensions may be so close to being identical from one make to a different make as to be indistinguishable. These dimensions may not remain constant from one production run to another. However, there are certain brands, e.g. Coeey 8 right and Marlin Micro-Groove Barrels, which do have unique rifling processes and specifications. Therefore, although as a general rule, a bullet or bullet fragment cannot be identified as having been fired from a particular make of gun on the basis of land and groove dimensions alone, there may be a few exceptions to this.

Precept (4) Very similar copper coatings are used on many different makes of lead revolver bullets.

Opinion: The positive identification of the make of ammunition from a badly deformed bullet fragment, based on visual, microscopic or photographic examinations of traces of the copper coating attached to the fragment, cannot be made.

Precept (5) CLASS CHARACTERISTICS as shown by the rifling impressions on a fired bullet play no significant role in the identification of such a bullet as having been fired from one particular gun out of the entire world population of guns having the same class characteristics.

Opinion: Although non similarity of class characteristics would lead to the exclusion or non identity of a particular fired bullet with a test fired bullet, similarity of class characteristics does not contribute in any significant degree to the identification of a bullet as having been fired from a specific gun and no other.

Precept (6) A single land of the rifling of a firearm can produce only one land impression on a fired bullet.

Opinion: In normal operation of a firearm using standard ammunition, one land could be expected to produce only one land impression on a fired bullet. However, should a previously fired bullet be recovered and reloaded for the second firing in the same firearm, then accordingly one land could produce more than one land impression. In addition, with a cartridge whose bullet diameter is smaller than that of the bore diameter of the firearm in which it is fired, it would be possible to have the bullet accept an impression of one land, totally lose contact with that same land momentarily and then for a second time achieve contact with the same given land and hence receive a second impression from that same land but not necessarily coincidental to the first land impression. Additionally, some shots fired from revolvers may travel for a distance along the barrel before they take up rotation due to the rifling's twist.

R. C. Nichol

R. C. Nichol
Firearms Examiner

1 June 71
Date

*Sworn before me in the
Judicial District of York,
this 2nd day of June 1971*
H. H. Graham
A Commissioner for Taking Affidavits
in and for the Province of Ontario.
My Commission expires March 13, 1972

SUPPLEMENTAL AFFIDAVIT OF CHARLES

M. WILSON

STATE OF WISCONSIN }
County of Dane } ss

I, Charles M. Wilson, being first duly sworn,
depose as follows:

My business and occupation is a criminalist and
firearms expert. My qualifications are set forth in detail
in my prior affidavit filed with the Civil Service Commission
under date of May 27th, 1971.

If called as an expert witness, I would give, in
substance, the following testimony:

On August 19th, 1968, while in Los Angeles, I
visited the Office of the County Clerk, Criminal Division,
in the Hall of Justice to examine certain items of physical
evidence in the case of People v. Kirschke, SC # A222633.
I was accompanied by Mr. William W. Harper.

My examinations included microscopic studies of the
"Drankham Fatal Bullet", the "Kirschke Fatal Bullet", five
test bullets, and visual studies of Court Exhibits 99, 100,
101, and 102. In particular, my studies were concerned with
the microscopic examinations of the surface structures of
the "Drankham" bullet and one of the five test bullets as
shown in Exhibits 101 and 102. From these studies and
examinations, I reached the following conclusions:

EXHIBIT "F"

1. It is my opinion that the two land impressions on the "Drankham" bullet used for matching with the test bullet in Exhibits 101 and 102 are approximately 120 degrees apart around the circumference of the bullet.

2. It is also my opinion that the microscopic surface structures of the test bullet land impression used for the matching with the two land impressions on the "Drankham" bullet, as depicted in Exhibits 101 and 102, show unquestionably that one and the same land impression on the test bullet has been used for matching with two different land impressions on the "Drankham" bullet. The top portion of the test bullet land impression (near the ogive) has been used in the photomicrograph comparison shown in Exhibit 101, while the lower portion of the same land impression (near the bullet base) has been used in the preparation of Exhibit 102.

3. It is my further opinion that this fundamental error in using one land impression on the test bullet to identify two different land impressions on the "Drankham" fatal bullet completely destroys any contention or opinion that the test and fatal bullets were fired by the same weapon.

4. Since the test and fatal bullets cannot be in phase in two angular positions simultaneously, the single individual characteristic shown in Exhibit 100 is completely

EXHIBIT "F"

without merit in establishing a positive identification of the fatal bullet as having been fired by the same weapon that fired the test bullet.

5. It is also my opinion that the single individual characteristic shown on Exhibit 99 (pertaining to the "Kirschke" fatal bullet) is grossly inadequate in supporting a positive firearms identification

Executed on June 22, 1971, at Madison, Wisconsin.

Charles M. Wilson

Subscribed and sworn to before me
this 22nd day of June, 1971.

(SEAL)

Robert H. Varebrook
Notary Public in and for the
said County and State

ROBERT H. VAREBROOK
NOTARY PUBLIC STATE OF WIS.
MY COMMISSION EXPIRES NOV. 24, 1974

EXHIBIT "F"

-3-

THE UNIVERSITY OF SOUTHERN CALIFORNIA - UNIVERSITY PARK - LOS ANGELES

NAME: WOLFER, DEWAYNE ALLAN
 DATE AND PLACE OF BIRTH: July 26, 1926, Los Angeles, Calif.
 NAME AND ADDRESS OF PARENT OR GUARDIAN: 3065 Vineyard Ave., Los Angeles 16, Calif.
 PREPARATORY HIGH SCHOOL: [unclear]
 DATE U.S. GRADE: 9-13-43
 DATE U.S. GRADE: 11-3
 DATE U.S. GRADE: Aug. 13, 1952
 A.B. June 14, 1952
 MAJOR: Zoology
 ADMISSION UNITS: English 2, Latin 3, French, German, Spanish, Econ. Soc., U.S. Hist. & Civics 1, Other Soc. St. 1, Algebra 2, Geometry 1, Trig., Physics 1, Chemistry 1, Inter-Science 1, Biology, Botany-Zoology, Physiology, Misc. Total 15
 STATEMENT OF ADMISSION: 9-23-43 - Granted A. B. admission, short, Schol. Apt. Test.

COURSE	1ST SEM. UN. GRADE	2ND SEM. UN. GRADE	COURSE	1ST SEM. UN. GRADE	2ND SEM. UN. GRADE	COURSE	1ST SEM. UN. GRADE	2ND SEM. UN. GRADE
1943-44			1946-47 (Cont)			Pre-Flight		
Chem. 2aL	4	W	Ger. 1b, 56a	3	C 3 D	CTD		
Engl. A	0	C	Gen. Stud. 61, 61a	3	D (2) W	Geog., Elitory	1	1
Ger. 1a	3	C	Fact. 10L, 60L	2	B 4 C	Math., Physios	2	2
Ph. Ed. 8	1	C	Fine Arts 68		2 C	Electives	10	
Math. 1a	2	W	1947 Summer	0	wks - 4 wks	Granted 16 sem. units	(1)	22
1943-44	Fall		Gen. Stud. 56a, b	2	D (2) W	12/12-12		
Civ. Aero. 100	3	B	Cancelled 8-13-47			Chem. 122aL, bL	4	C 4 1/2
1945-46			1947-48			Physics 30aL, bL	5	C 5 C
Zool. Lab. 1b	4	D 4 D	Ger. 56b	3	C	Zool. 106L, 130L	4	C 3 F
Gen. Stud. 11a	4	C 4 D	Psych. 11B	3	C	Engl. 1b		3 C
Ger. 1a	REP (3)	C	Zool. 100L, 106L	5	C 5 C	1948-50		
Engl. 1a		3 C	Chem. 50L		4 C	Zool. 312, 106NL	4	B 4 C
Ph. Ed. 8m		1 CR	Zool. 190b		2 B	Zool. 464L	3	C
1946-47			U. St. 66b		2 D	Chem. 322bL	4	D
Chem. 101, 22a	4	C 4 D	U.S. Const. is met by	2	ST. 47b	(over)		

Certified to be a true copy of the academic record of DeWayne A. Wolfer
 Page 1 of 2

[Signature]
 Registrar
 University of Southern California

JUL 29 1971

[Signature]
 REGISTRAR

EXHIBIT "C"

WOLFER, DEWAYNE ALLAN

NAME			I.C. DIONNE BROUGHT					
COURSE	1ST SEM.	2ND SEM.	COURSE	1ST SEM.	2ND SEM.	COURSE	1ST SEM.	2ND SEM.
	UN. GRADE	UN. GRADE		UN. GRADE	UN. GRADE		UN. GRADE	
1949-50 (cont)								
Enrl. 250a, 260a	2 W	2 C				1-21-51 Sub. Comm. Allowed		
Enrl. 250b	2 C					full sem. credit for work		
Phys. Ed. 117		1 B				carried beyond the 10-semester		
Cine. 127a		2 C				period and up to the date of		
Arch. 317		3 C				entry into military service,		
1950-51 CC								
Pub. Adm. 342		3 A				subject to specifications		
1951-52 CC		3 C				approved on 11-16-51		
Pub. Adm. 344, 352	2 B	3 B				1-22-52 May subst. Genl. Meth. Cal.		
Pub. Adm. 350, 351	2 B	2 B				for Meth. 103 as collateral require-		
1952-53 CC		CC				ment for major in Enrl. Sub. Com.		
Pub. Adm. 349	2 B					5-1-51 PH. Ta. Stud. (cont)		
						5-23-52 Ext. to June 1952 to		
						in Enrl. 250a, spring 1950.		
						--Sch. Comm.		
						2-2-50 PH. Ta. Stud. (EX)		

Certified to be a true copy of the academic record of DeWayne A. Wolfer

Page 2 of 2

[Signature]
 Registrar
 University of Southern California

JUL 29 1971

IN GOOD STANDING
[Signature]
 REGISTRAR

EXHIBIT "C"

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(PROOF OF SERVICE BY MAIL-1013a,2015.5 C.C.P.)

STATE OF CALIFORNIA }
 } ss.
COUNTY OF

I am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years and not a party to the within entitled action; my business address is:

458 South Spring Street, Los Angeles, California

On September 2, 1971, I served the within ANSWER OF DEFENDANT BARBARA WARNER BLEHR on the Attorney for Plaintiff in said action, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at 458 South Spring Street, Los Angeles, California addressed as follows:

JOHN T. LA FOLLETTE
Attorney at Law
Suite 2600 Equitable Plaza
3435 Wilshire Boulevard
Los Angeles, California 90010

I certify (or declare), under penalty of perjury, that the foregoing is true and correct.

EXECUTED: on September 2, 1971 at Los Angeles, California.


LINDA SORENSEN

C O P Y

TRAUMA MAGAZINE

MEDICINE, ANATOMY AND SURGERY

MARSHALL HOUTS

Editor-In-Chief

313 Emerald Bay
Laguna Beach, California 92651
(714) 494-4896

Saturday - June 26, 1971

PERSONAL AND CONFIDENTIAL

Hon. Evelle J. Younger, Attorney General
State of California
California State Office Building
217 W. 1st Street
Los Angeles, California 90012

Re: DEWAYNE WOLFER
L. A. P. D. Crime Laboratory

Dear Ev:

This is an elaboration of our discussion last night at Bob Fullerton's.

As I indicated then, I have no personal interest in this matter, but do have a deep academic and professional concern over Wolfer's horrendous blunders in the past and those he will commit in the future if he continues on in his present assignment. I am also concerned that you and the present District Attorney stand a strong chance of getting burned by Wolfer's misdirected hyper-enthusiastic procedures and testimony.

I know all of the men who have stepped forward to speak in this present civil service proceeding. They are all men of great integrity and professional competence whose sole concern is in elevating the field of criminalistics to a professional status (CRIMINALISTICS: The collection, preservation and evaluation of trace evidence (macroscopic and microscopic) which can be used to link an individual suspect to a specific crime. Traditionally, it includes fingerprints, tool marks and firearms identification, the analysis of blood, hair, soils, paints, fibers and fabrics, glass, tire and other prints, photography, the matching of physical pieces, and natural and man-made products of any type that can possibly link the perpetrator to the scene of his crime. The techniques employed have been wet chemistry, optics, thin plate and gas chromatography, microscopy, spectrography, spectrophotography and, more recently, neutron activation analyses, X-radiation procedures and other spin-offs from NASA and the Department of Defense technology).

The idea that these men who are national leaders in criminalistics are out to "get" Wolfer because of motives of "professional jealousy" is totally absurd. They are deeply grieved over his unconscionable antics since these bring discredit to their profession, just as you and I resent shyster tactics by a member of the bar that reflect adversely on us as lawyers.

If ever the cliché "more to be pitied than censured" has viability, it does in this case. Wolfer suffers from a great inferiority complex for which he compensates by giving the police exactly what they need to obtain a conviction. He casts objectivity to the winds and violates every basic tenet of forensic science and proof by becoming a crusading advocate. This is rationalized as being entirely legitimate since the accused is guilty anyway which makes the social objective worthy of the means required to obtain it. The problems of this philosophy, as you well know, are many and grave, not the least of which is that the prosecutor is led down the primrose path to chagrin and embarrassment when the follies of the charlatan are subsequently uncovered.

Unfortunately, there are many Wolfers in this broad area of forensic science. There are no minimum standards for employment (except in a comparatively few of the larger crime laboratories in the country) which means that a poorly trained man without experience or integrity can set himself up as an "expert"; and he is off and running. There is also no denying one of the basic facts of life in the law enforcement field: the pressures on the criminalist by the police arm to give them what they need to make their cases, are substantial.

I will not elaborate on the details of the three cases under consideration by the civil service board (Sirhan, Kirschke and Terry) other than to say that real experts of integrity who have examined portions or all of the evidence are appalled at what Wolfer did. (I will be glad to discuss these cases with you if you wish). I understand that there are at least four other criminal cases and two civil ones which have already come to light since the Wolfer matter received publicity. There are undoubtedly many others which have been subjected to his hyperenthusiastic, unscientific approach.

The acute problem, of course, is what to do now with the current crisis, both from the standpoint of abstract and practical justice, and from the perspective of how you and the present D. A. can come away undamaged politically. I have two suggestions.

Wolfer should be encouraged to go into retirement for which he is eligible. This is the only way I know to help the present turmoil to fade away. No one wants his scalp yet, although I know some lawyers who say they will accuse him of perjury and institute every law suit

possible against every possible party defendant if he does receive permanent civil service status. His potential damage and embarrassment in future cases will be greatly magnified if he receives the vote of confidence the appointment will give him.

Secondly, I would suggest that you consult with George Roche who heads your own crime laboratory in Sacramento. Roche is a sound criminalist. David Q. Burd works under Roche and is recognized as a top firearms identification specialist throughout the country. Let Burd and whoever else he suggests look at all this evidence carefully, and then advise you exactly what Wolfer has perpetrated in these three and any other cases that come to light. By all means, don't let a group of police "experts" in firearms identification, who might be suggested to the civil service board by Wolfer, give Wolfer a coat of whitewash. This can't possibly do you or anyone else any good at all.

Thirdly, and perhaps most importantly, you can salvage something substantial and affirmative from the situation by appointing the first Criminalistics Review Board in the country. This would be composed of some of the national leaders in the field who are here in California, men like Jack Cadman, Head of the Sheriff's Crime Laboratory, Orange County, Anthony Longhetti, Head of the Sheriff's Crime Laboratory, San Bernardino County, Wayne A. Burgess, Head of the District Attorney's Division of Investigation, San Diego County, John Davis, Head of the Crime Laboratory, Oakland Police Department, and Lowell Bradford, Head of the District Attorney's Crime Laboratory, Santa Clara County. There are others, but this is an excellent nucleus from which to begin.

If any question arises in the field of criminalistics, it can be referred to this Board for analysis and opinion. The Attorney General or District Attorney (from any county in the state) can act with confidence on the recommendations of this Board. By way of specific example, if the evidence in the three questioned cases, (Sirhan, Kirschke and Terry) had been submitted to the Board before trial, I am sure that it could have been straightened out before trial so that the D. A.'s hand would have been strengthened, or the police would have been told to redirect their investigations into other channels.

I do not wish to impose on your time unduly so I won't expand upon this concept of the Criminalistics Review Board unless you wish it. I do think that it can be a strong affirmative first for you that can have an excellent substantive as well as political results.

I'll be glad to run in and talk to you about these matters if you wish. If I can do anything else for you, please let me know.

Sincerely yours,

(signed) MARSH

Article appearing in L.A. STAR by Ivan Dryer

"Mr. Wolfer's handling of ballistics testimony in the Sirhan trial and the subsequent charges of irregularity have been detailed here on several occasions in the past. However, other alleged anomalies including ballistics and other areas have not received attention. Some of these have been illuminated in the lengthy (nearly 300 pages, including exhibits) deposition taken from Wolfer by Mrs. Blehr attendant to Wolfer's suit of Mrs. Blehr that followed her original charges. (Relevant portions of this deposition were included in the Kirschke petition.) For example:

1. Wolfer testified that he was able to say that bullets recovered from victims Schrade and Evans were fired from the same type of cartridge as the bullet retrieved from Kennedy's head, even though all three bullets had sustained considerable damage (the fatal RFK bullet existed only in fragments) -- Wolfer claimed that spectrographic analysis of the lead in these bullets showed that they could have been fired from the same gun. When asked by Mrs. Blehr if he had the spectrograms, Wolfer replied:

WOLFER: I want to say yes, but I wouldn't say for sure because I have moved my desk two or three times and those spectrographs -- well, they either could be attached to the reports or they could be under things in my desk, or they could be in

the spectrograph room, or they might have been destroyed.

BLEHR: Were they ever produced in court?

WOLFER: No.

BLEHR: Why would they have been destroyed?

WOLFER: Well, in moving my desk on three occasions it is possible that since there wasn't any question about them and the case was over, they were never used in court evidence, that possibly I destroyed them. They may be on the back of the reports. I don't know at this point in life.

Mr. Wolfer was unable to find the spectrograms.

2. Also missing somehow were Kennedy's left shirt- and coat-sleeve and cuff link. Wolfer said:

WOLFER: To my knowledge, I wouldn't know, here today. I would say that at the time I had the coat, I believe, it was all there, but I won't say here today -- I don't know.

BLEHR: Would your notes help you to refresh your recollection of that?

WOLFER: No. There is photographs of the coat in its original condition.

BLEHR: Was it intact?

WOLFER: Well, I would have to look at the photographs. Here today, I don't know -- no, the coat wasn't intact, as I recall, here today.

BLEHR: So, it is your recollection at this time, that you had no information as to any coat sleeve being missing or shirt sleeve or cuff link?

WOLFER: Well, counsel, to my recollection, here today, as for the coat sleeve missing, I do not recall the coat sleeve missing. Here today, I can't answer that.

BLEHR: Whose job was it, or who had the responsibility of making sure that all the clothing of the Senator was kept intact?

WOLFER: I don't know whose responsibility it would be.

BLEHR: Would it be the Scientific Investigation Division?

WOLFER: Well, your question is, whose responsibility -- we got the clothing through channels. The evidence then went to court or to property. It was transferred, and the responsibility would be with whoever had possession of it. There was change of custody, and when it was in my presence, it was my responsibility. When it was released to property, it became their responsibility. When it goes to court, it becomes their responsibility. Now, whose responsibility it would be in, I would have no way of knowing.

BLEHR: Do you recall, when you received the clothing of the Senator?

WOLFER: Here today, no.

BLEHR: Would it be in your reports?

WOLFER: I assume it would be, yes.

BLEHR: Now, is it correct that in arriving at the count of eight shots being fired in that pantry, that you assumed that there were no bullet holes in the left coat sleeve of Senator Kennedy?

WOLFER: Counsel, as I said twice already today, I don't think that the left coat sleeve was missing from the coat. I found no evidence in the Ambassador Hotel nor victims of any other bullets including all of the marks in the walls which I discussed in the previous deposition, and everything else in the absence of all other evidence, I would have to say that there was only eight shots fired in the Ambassador Hotel.

3. Again, regarding Wolfer's qualifications as a criminalist and expert in forensic science:

BLEHR: ...Do you know what the formula for determining the rifling angle is?

WOLFER: Here today I wouldn't know.

BLEHR: Do you know what the formula for determining the pitch of rifling is?

WOLFER: I wouldn't here today, no.

BLEHR: Could you look them up for me tomorrow?

WOLFER: Yes.

BLEHR: And give me the answers on that?

WOLFER: Yes. It is a matter of reference.

BLEHR: Do you know the force applied to the base of a bullet, the length of the barrel, and the mass of the bullet, what is the formula for determining the velocity of a bullet?

WOLFER: I wouldn't know here today.

BLEHR: How do you convert bullet weight in grains to weight in pounds?

WOLFER: I wouldn't know here today.

BLEHR: What is Ohm's Law?

WOLFER: I wouldn't know.

BLEHR: The heating effect of electric current is dependant on what quantity?

WOLFER: I wouldn't know here today.

BLEHR: How is the term "center of gravity" defined?

WOLFER: I wouldn't know here today. I am in a state of confusion. I am not here as a physicist.

We stated earlier that there were direct and indirect links between the Kirschke and Sirhan cases. The indirect links are much more tenuous -- and mysterious -- than the foregoing. As noted by the L. A. Times on June 6, 1968, as well as other sources, it was reported that during Sirhan's interrogation by authorities following his arrest he seemed to be "preoccupied" with the Kirschke case and would talk of little else for some time. In addition, now former Police Chief Tom Reddin said on TV that Sirhan had a clipping about the Kirschke case in his pocket when arrested. The following day, June 7, 1968, George T. Davis, one of Sirhan's original attorneys who was also then Attorney of Record for Jack Kirschke, filed an expanded motion for a new trial and introduced William Harper to testify concerning the suspected perjury in ballistics testimony during the Kirschke trial. (We have not learned whether

the reported clipping related to the motion or some previous activity, but it is very intriguing.)

At the court hearing, Davis asked the Judge in chambers to prohibit any further statements by law enforcement officials that might imply a "tie-in" between Kirschke and Sirhan. The judge declined to make that proscription and denied defense motions to allow Harper access to the ballistics evidence (which he later obtained through Davis, and at which time he examined the Sirhan bullets) as well as one that would have allowed Kirschke to leave jail for psychiatric examinations under hypnosis. Kirschke's motion for a new trial was disposed when the court reduced his death sentence to life imprisonment "in lieu of granting a new trial," in the Court's words.

Incidentally, the subsequent filing of the Appellant's Reply Brief was duly reported in the L. A. Times for September 2, 1971 (two columns) and Wolfer's response to the brief ("absolutely false") was printed the next day. But that was 1971 -- evidently the Kirschke case is no longer news."

AFFIDAVIT

I, WILLIAM W. HARPER, being first duly sworn, depose
as follows:

1. I am a resident of the State of California and for approximately thirty-seven years have lived at 615 Prospect Boulevard in Pasadena, California.

2. I am now and for thirty-five years have been engaged in the field of consulting criminalistics.

3. My formal academic background includes studies at Columbia University, University of California at Los Angeles and California Institute of Technology where I spent four years, including studies in physics and mathematics with the major portion devoted to physics research.

4. My practical experience and positions held include seven years as consulting criminalist to the Pasadena Police Department where I was in charge of the Technical Laboratory engaging in the technical phases of police training and all technical field investigations including those involving firearms. I was, during World War II, for three years in charge of technical investigation for Naval Intelligence in the 11th Naval District, located at San Diego, California.

After my release from the Navy, I entered private practice as a consulting criminalist. Extending over a period of 35 years I have handled roughly 300 cases involving firearms in homicides,

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suicides and accidental shootings. I have testified as a consulting criminalist in both criminal and civil litigations and for both defense and prosecution in both State and Federal Courts. I have qualified as an expert in the courts of California, Washington, Oregon, Texas, Nevada, Arizona and Utah. I am a Fellow of the American Academy of Forensic Sciences.

5. During the past seven months I have made a careful review and study of the physical circumstances of the assassination of Senator Robert F. Kennedy in Los Angeles, California. In this connection I have examined the physical evidence introduced at the trial, including the Sirhan weapon, the bullets and shell cases. I have also studied the autopsy report, the autopsy photographs, and pertinent portions of the trial testimony.

6. Based on my background and training, upon my experience as a consulting criminalist, and my studies, examination and analysis of data related to the Robert F. Kennedy assassination, I have arrived at the following findings and opinions:

A. An analysis of the physical circumstances at the scene of the assassination discloses that Senator Kennedy was fired upon from two distinct firing positions while he was walking through the kitchen pantry at the Ambassador Hotel. FIRING POSITION A, the position of Sirhan, was located directly in front of the Senator, with Sirhan face-to-face with the Senator. This position is well established by more than a dozen eyewitnesses. A second firing position FIRING

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POSITION B, is clearly established by the autopsy report. It was located in close proximity to the Senator, immediately to his right and rear. It was from this position that 4 (four) shots were fired, three of which entered the Senator's body. One of these three shots made a fatal penetration of the Senator's brain. A fourth shot passed through the right shoulder pad of the Senator's coat. These four shots from Firing Position B all produced powder residue patterns, indicating they were fired from a distance of only a few inches. They were closely grouped within a 12 inch circle.

In marked contrast, the shots from FIRING POSITION

3

A produced no powder residue patterns on the bodies or clothing of any of the surviving victims, all of whom were walking behind the Senator. These shots were widely dispersed.

Senator Kennedy received no frontal wounds. The three wounds suffered by him were fired from behind and he had entrance wounds in the posterior portions of his body.

B. It is evident that a strong conflict exists between the eyewitness accounts and the autopsy findings. This conflict is totally irreconcilable with the hypothesis that only Sirhan's gun was involved in the assassination. The conflict can be eliminated if we consider that a second gun was being fired from FIRING POSITION B concurrently with the firing of the Sirhan gun from FIRING POSITION A. It is self-evident that within the brief period of the shooting (roughly 15 seconds) Sirhan could not have been in both firing positions at the same time.

-3-

4

No eyewitnesses saw Sirhan at any position other than FIRING POSITION A, where he was quickly restrained by citizens present at that time and place.

4

C. It is my opinion that these circumstances, in conjunction with the autopsy report (without for the moment considering additional evidence), firmly establish that two guns were being fired in the kitchen pantry concurrently.

D. There is no reasonable likelihood that the shots from FIRING POSITION B could have been fired by a person attempting to stop Sirhan. This is because the person shooting from FIRING POSITION B was in almost direct body contact with the Senator. This person could have seen where his shots would strike the Senator, since the fatal shot was fired (muzzle) from one to three inches from the Senator's head. Had Sirhan been the intended target, the person shooting would have extended his arm beyond the Senator and fired directly at Sirhan. Furthermore, two of the shots from FIRING POSITION B were steeply upward; one shot actually penetrating the ceiling overhead.

E. The police appear to have concluded that a total of eight shots were fired with seven bullets accounted for and one bullet unrecovered. This apparent conclusion fails to take into account that their evidence shows that a fourth shot from FIRING POSITION B went through the right shoulder pad of the Senator's coat from back to front. This shot was fired from a distance of approximately one inch according to the

5
testimony. It could not have been the shot which struck Victim Paul Schrade in the forehead since Schrade was behind the Senator and traveling in the same direction. The bullet producing this hole in the shoulder pad from back to front could not have returned by ricochet or otherwise to strike Schrade in the forehead. This fourth shot from FIRING POSITION B would indicate 9 (nine) shots were fired, with two bullets unrecovered. This indication provides an additional basis for the contention that two guns were involved, since the Sirhan gun could have fired only 8 (eight) shots.

F. The prosecution testimony attempted to establish that the Sirhan gun, and no other, was involved in the assassination. It is a fact, however, that the only gun actually linked scientifically with the shooting is a second gun, not the Sirhan gun. The serial number of the Sirhan gun is No. H53725. The serial number of the second gun is No. H18602. It is also an Iver Johnson 22 cal. cadet. The expert testimony, based on matching the three test bullets of Exhibit 55 in a comparison microscope to three of the evidence bullets (Exhibit 47 removed from the Senator, Exhibit 52 removed from Goldstein and Exhibit 54 removed from Weisel) concluded that the three evidence bullets were fired from the same gun that fired the three test bullets of Exhibit 55. The physical evidence shows that the gun that fired the three test bullets was gun No. H18602, not the Sirhan gun. Thus, the only gun placed at the scene by scientific evidence is gun No. H18602. Sirhan's gun was taken from him by citizens at the scene. I have no information regarding the background

history of gun No. H18602 nor how the police came into possession of it. 6

G. No test bullets recovered from the Sirhan gun are in evidence. This gun was never identified scientifically as having fired any of the bullets removed from any of the victims. Other than the apparent self-evident fact that gun No. H53725 was forcibly removed from Sirhan at the scene, it has not been connected by microscopic examinations or other scientific testing to the actual shooting.

H. The only reasonable conclusion from the evidence developed by the police, in spite of their protestations to the contrary, is that two guns were being fired in the kitchen pantry of the Ambassador Hotel at the time of the shooting of Senator Kennedy.

I. From the general circumstances of the shooting the only reasonable assumption is that the bullet removed from victim Weisel was in fact fired from the Sirhan gun. This bullet is in near perfect condition. I have, therefore, chosen it as a "test" bullet from the Sirhan gun and compared it with the bullet removed from the Senator's neck. The bullet removed from the Senator's neck, Exhibit 47, was one of those fired from FIRING POSITION B, while the bullet removed from Weisel, Exhibit 54, was one of those fired from FIRING POSITION A, the position of Sirhan. My examinations disclosed no individual characteristics establishing that Exhibit 47 and Exhibit 54 had been fired by the same gun. In fact, my examinations disclosed that bullet Exhibit 47 has a rifling angle approximately 23 minutes (14%) greater than the rifling angle of bullet Exhibit 54. It is, therefore, my opinion that bullets 47 and 54 could not have been fired from the same gun.

7

The above finding stands as independent proof that two guns were being fired concurrently in the kitchen pantry of the Ambassador Hotel at the time of the shooting.

J. The conclusions I have arrived at based upon my findings are as follows:

- (1) Two 22 calibre guns were involved in the assassination.
- (2) Senator Kennedy was killed by one of the shots fired from FIRING POSITION B, fired by a second gunman.
- (3) The five surviving victims were wounded by Sirhan shooting from FIRING POSITION A.
- (4) It is extremely unlikely that any of the bullets fired by the Sirhan gun ever struck the body of Senator Kennedy.
- (5) It is also unlikely that the shooting of the Senator could have accidentally resulted from an attempt to shoot Sirhan.

Dated: December 28, 1970.

William W. Harper

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

On this _____ day of December, 1970, before me appeared, personally, WILLIAM W. HARPER, known to me to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same.

Notary Public in and for said County and State.

(Seal)

4,000 IS A LOT

Evelle Younger claimed they interviewed over four thousand people.

I have to ask where they went to interview the four thousand,
the Trobriand Islands?

I would understand if they had. They weren't getting the kind
of answers they were after around here.

JULY 5, 1971
BAXTER WARD INTERVIEW WITH CARL UECKER
KHJ TV Los Angeles, California

CARL UECKER: Sirhan never came closer with his gun towards Kennedy, a foot and a half to two feet. I would say more two feet than -- call it two feet. Yeah, the closest he could get to Kennedy. When the first two shots were fired Kennedy was facing me and facing Sirhan, so he never was able to get behind Kennedy or behind me. I didn't know anything about the autopsy result during the trial and I always said that I grabbed the gun after the second shot and nobody ever told me any different during the trial. I read later in the newspaper that Mr. Fitz mentioned that I couldn't have gotten the gun of Sirhan at the second -- I must have gotten him at the fourth shot. Which is not true. I got him after the second shot. And I never changed my testimony -- gave a testimony to the LAPD, to the Grand Jury hearing, to the trial, to the FBI -- I never changed my testimony. I know that a security guard is hired by the hotel, and I know that there was somebody around there but I wouldn't know the exact position where he was.

JULY 6, 1971
BAXTER WARD INTERVIEW WITH DONALD SHULMAN
KHJ TV Los Angeles, California

SHULMAN: I saw the security guards draw their weapons out and I assumed they were security guards because -- well, I said it was an assumption they would be the ones with weapons. I saw other weapons but I did not see -- I saw the Senator hit but I did not see anyone shoot him. I was interviewed by the Los Angeles Police Department as was everyone else connected with CBS and I told them my story and what I'd seen and they, at that time, disagreed with me on seeing other weapons. I told them that I had positively seen other weapons and they then filled out the report and thanked me very much and said that they had enough witnesses and I probably would not be called. They went into it pretty thoroughly but when I told them that I'd seen other guns they told me that other people had not at that time and they implied that I had been mistaken. They didn't harrass me or anything. They just conducted their interview.

JUNE 17, 1971
BAXTER WARD INTERVIEW WITH EVAN FREED
KHJ TV Los Angeles, California

EVAN FREED: As I told the police, I recall seeing a girl in a polka dot dress -- a woman, that is -- in the pantry area, but I didn't actually see her running out the door as I was quoted as saying in that book.

When he fired the first shot, or first two shots, I'm not sure -- I would say he was between, anywhere within five feet or closer to Senator Kennedy. When he was firing the volley of shots following a pause after the first one or two shots, I'd say he was -- I'd say Senator Kennedy was already on the floor and that he was about six feet away from Senator Kennedy at that time. Firing sort of into a crowd of people. I was in the pantry area for about 15 minutes prior to Senator Kennedy's arrival following his speech and I saw her in the kitchen at that time. He was one of the first ones to come through the door and I was backing up facing Senator Kennedy at that time. And I turned my head for one second and about right then I heard what sounded like a firecracker go off. I looked down at the floor and immediately I turned my head up and saw standing about four feet away from me the man who turned out to be Sirhan Sirhan firing a volley of shots at Senator Kennedy. At that point I -- there was sort of a big burst of screaming and shoving and pushing and I got shoved literally back to the -- I guess would be the east wall of the Embassy Room pantry, and at that point I saw what appeared to be

two men running toward the southwest door -- southeast door which led into the Embassy Room. One man was a fairly tall man of dark complexion, approximately six, six-one. And the other man was a heavy set man who I believe was a security guard for the hotel, but I can't say that for sure. But he was yelling at either me or the other man, "Stop him, stop him, stop him."

JUNE 14, 1971
BAXTER WARD INTERVIEW WITH BOOKER GRIFFIN
KHJ TV Los Angeles, California

GRIFFIN: ...that I differ very strongly with police details. In some instances I still stand on my position that I saw a girl and another gentleman in the corridor with the alleged or convicted assassin or whatever the legal thing may be and I did run up that side corridor in pursuit of them after what I saw happen. This was thoroughly discounted and in some discount -- or some press accounts of this, others say that I changed my testimony or that I said that I wasn't sure. But I am decidedly, definitively and definitely sure that all the Los Angeles Police Department is guilty of trying to fabricate this story. I thought that when I was interviewed by the police department that they were trying to force me to polly-parrot a predetermined story. I felt that they wanted to simplify the issue to get a direct conviction and to do as much to save the face of the city as they could. And I have very serious questions about the integrity of the Los Angeles Police Department in this matter.

WARD: How close was Sirhan to Kennedy?

GRIFFIN: It is difficult to recollect for the simple reason that after the first shot or two it would appear that he was grabbed and whatever other shots took place in the process of a struggle. Now, I have always had some difficulty dealing with the whole motion and movement and closeness of Sirhan into the autopsy report or how -- for instance, how the burns on the Senator's ear or something to that effect. I cannot recall that

he would have been that close. But again, it's very difficult to be -- you know -- sure at this time -- you know -- because of the three-year lapse. Well, you have to understand how impressionable people are in this society. And I think that a lot of people who are so used to being excited that the authorities have a way in controversial situations of putting a story together and then telling you, and telling you that we have "X" number of witnesses that say this. And they beat people down, they drive people down because people are not trained to observe so therefore what they recollect is hazy anyway. And so authorities that twist people and pressure people -- people can get honest people and sincere people to polly-parrot a precontrived story. And then a few people, perhaps like myself, may be a little bit strong and maybe trained to look and observe will be discredited and beat down, and the police have honest and legitimate people polly-parroting what they want them to say. I talked to one other young lady who was just totally beat down by authorities and just made a nervous wreck because they constantly questioned her concept of reality to the point that rather than for her to stand up for what she knew that she saw, she bent down and let them throw doubts in her mind and she almost became a nervous wreck and almost had to go to a mental institution because these people were strong enough to make her question her own consciousness which is very wrong, very wrong.

THE C.I.A. WINS AGAIN

With the release of the Pentagon Papers the Army is clearly subordinate to the C.I.A. now. There was nothing in the famous "stolen" papers that was not reported at one time or another in newspapers and periodicals on public sale. They do reveal that the Army is going to be the goat in Viet Nam and there doesn't seem to be much they can do about it. If they had the hired brains of the C.I.A., if they had the creativity of the C.I.A. they would have a couple of their bright young officers "steal" the C.I.A. papers that would show how the C.I.A. runs dope, murders and subverts abroad and internally. I'm afraid that an antic like that is beyond their resources and they'll just take it in the neck.

{ H. L. Menken was wise when he doubted the report that a Prussian general invented the ram rod. It was too complicated a device for the military mind to conceive. }

George McGovern made it farther than I thought he would with his withdrawal promise. He has the nomination but he is not home yet. As someone else said, "There are guns between me and the white house." It would have been smarter for him to have identified those guns. Teddy chose to stay out of their cross-fire rather than name them and this is their only power. Secrecy.

Once the extent of their penetration into the armed forces, the police agencies, and any and all organizations, is exposed then they will be disarmed and their control of the United States

Government will be shattered and they can be "broken into one
thousand pieces and scattered to the winds." If McGovern wins,
and I think he has a very good chance, he will be no safer than
John Kennedy was when he ordered a withdrawal from Viet Nam
on October 3, 1963. Less than two months later he was dead.

Angeles Times

LARGEST CIRCULATION IN THE WEST 761,421 DAILY 1,110,298 SUNDAY

CC

THURSDAY MORNING, OCTOBER 3, 1963

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Los Angeles Times

DAILY 10

U.S. Expects Viet-Nam Pull-Out by End of '65

Security Council Tells Estimate After Report by M'Namara, Taylor

BY ROBERT THOMPSON
Los Angeles Times News Service

WASHINGTON—The United States can compare its military share of its military mission in South Viet-Nam by the end of 1965 unless the "deeply serious" political turmoil there causes a setback.

This policy position was stated by the National Security Council with the approval of President Kennedy after Secretary of Defense Robert S. McNamara and Gen. Maxwell D. Taylor reported to him Wednesday on their week-long survey of the Viet-Nam struggle against communism.

McNamara informed the president and the Security Council that the military situation has progressed to the point where 1,000 American troops can be withdrawn by the end of this year. It is estimated unofficially that the United States has around 15,000 military personnel in the southeast Asian nation.

Critical of Diem

The U.S. declaration strongly criticized the government of President Ngo Dinh Diem and his brother, Defense Minister Ngo Dinh Nhu, for its repressive policies against Buddhists.

While the political crisis has not yet endangered military operations against the Communists, the Security Council said, it "could do so in the future."

It did not name any government officials in its indictment of the Viet-Nam political situation, but it

Illustrated on Page 4, Part 1

States will continue to oppose "any repressive actions in South Viet-Nam."

Taylor, chairman of the Joint Chiefs of Staff, McNamara, spent more than one hour with Mr. Kennedy and top foreign policy architects Wednesday morning immediately after their return from Asia.

The President then approved the Security Council Wednesday night in his weekly radio address and to draft the statement of U.S. policy.

Lodge Concerns

Ambassador Henry Cabot Lodge, who has been in close contact with the President and conferred with McNamara and Taylor, concurred in the report.

On the basis of recommendations from McNamara, Taylor and Lodge, the Security Council issued the following five-point policy:

1.—The security of South Viet-Nam continues to be a major interest of the United States and other free nations. The United States, therefore, will continue to work with the people and the government of South

NAM OUTLOOK

First Page
nel in South Viet-Nam. The
communism. The training program should
externally supported
supported Viet Nam
possible.
personnel can be with-
drawn.
The political situation
remains "deeply serious"
and the United States has
made it clear that it opposes
"repressive actions" in
South Viet-Nam. While such
military actions have not yet been
decided, only partly tilted the military
agency. In effect, they could do so in the
near future.

3.—It remains the policy of
the United States in South
Viet-Nam—as in other parts
of the world—to "support
the efforts of the people of
the country of great progress
to be completed and to bring a peaceful
end of 1955, and free society."

Approximately 25 officials
of the Kennedy administration

at in on... Secretary
the Security Council after the
in Cuba in 1961.

Among others who
participated were
Director John A. McCone
Secretary of State Averell Harriman
Rusk is in New York
the United Nations.

Mr. McNamara sent McNamara and Taylor to
political and military

Members
of the
Kennedy
Lyndon B. Johnson
McNamara, Edward
Barnett, director
of Emergency
George Bush
assistant to the
national security
Carl Kaysan
assistant to

JAMES
DARRIN
CAES
MOLINA

Mr. Kennedy has indicated
that President Diem would do well to
his government of his brother
and his brother's wife
Mrs. Nhu, the two individuals
most identified with
the Viet-Nam struggle against
communism.

But McNamara and Taylor
apparently found a grave
political situation, in which
a Catholic Ngo family has
sifted up deep hatred
against its repression of
Buddhists.

Mr. Kennedy has indicated
that President Diem would do well to
his government of his brother
and his brother's wife
Mrs. Nhu, the two individuals
most identified with
the Viet-Nam struggle against
communism.

OWN A RED
Brighter
3 Bands
3 MILLS
Model I
Driving direction
7 markings
3 MILLS

"For some time I have been disturbed by the way CIA has been diverted from its original assignment. It has become an operational and at times a policy-making arm of the Government. This has led to trouble and may have compounded our difficulties in several explosive areas.

...there are now some searching questions that need to be answered.

There is something about the way the CIA has been functioning that is casting a shadow over our historic position and I feel that we need to correct it."

Harry Truman.

(published in the Washington Post exactly one month after the killing of John Kennedy)

THAT OTHER COMMISSION

The Echo Park Commission on Law and Order was organized by me and Ivan and Betty Dryer. Our motto was: "It is unlawful to kill a President and disorderly as hell." We wanted to underscore the fact that the forces that talk the most about law and order are the most lawless and disorderly. They savagely suppress a riot at home and calmly plan a war abroad. They shoot a President in Texas and break into a prison and free an operative and make a mockery of Mexico's sovereignty.

They are the power and the congress and the President are sad jokes.

Part of our program was an appeal to Congressmen and Senators through the mail and in person. To a man they were too terrified to take the case. Terrified or stupid. I've sat in the galleries of both houses and I'm aghast at the low level of character and mentality of our legislators. I thought maybe it was better that the military and C.I.A. have control but I've changed my mind. At least with a weak-kneed, pitiful Congressman or Senator you can turn them out of office. The Generals and Admirals and Directors don't stand for elections. Their friends appoint them for life.

One red hot liberal promised me he would read our evidence into the Congressional Record but of course he didn't. I didn't really think he would. I don't expect much from liberals. I respect the conservatives. They don't promise you anything and they never disappoint you.

We presented the evidence of this conspiracy to a variety of audiences and at one of those programs we met Theodore Charach. He had been at the Ambassador and within a few feet of the hit. Formerly a radio and television reporter, he had been deeply involved in his own investigation from that moment. He has produced a film and a tape but his efforts have been unsuccessful in large part because of a media blackout. Of all the television and radio people in Los Angeles only a few had the courage to get involved. Those were: Mort Sahl, Stan Borhman, Elliot Mintz, Art Kevin, Baxter Ward, Sue Holter and Burt Wilson. The above-ground press disgraced itself as usual.

At a press conference at radio station KPFK in Los Angeles, Charach's film was screened and a kit full of information and evidence was distributed and a court action was announced. But Ted has a lot of bad luck with lawyers. Their enthusiasm evaporates and their attention span abruptly shortens for some reason or another. Well at least Ted found a couple of lawyers to start action. Lawyers as a class have exhibited more sheer cowardice than the media in their reaction to this conspiracy. They treasure the memory of Zola and his long fight to spring Dreyfus but when you ask them to help expose the conspiracy that killed a Senator who would have been a President, they faint.

Zola wasn't a lawyer.

Betty Dryer is a court transcript typist and Ted had some tapes he wanted transcribed and Betty volunteered.

Returning late one night she surprised two men searching the room she used for typing. They roughed her up, threatened her and left. Ivan called me the next day and I got my rifle and drove over.

They didn't need my rifle. The place looked like an armory. There were rifles and pistols all over the place. There were some small children in the house so we had to institute a gun safety program.

The police were skeptical until they interviewed a neighbor boy who had seen the pickup truck circle the block and then park in front.

The Los Angeles Free Press was extremely generous and cooperative in helping us get our information to the public. When the case breaks, and I'm sure that it will, the Free Press will be, second only to Thomas Noguchi, largely responsible. Because of their free ads we were able to distribute the autopsy report and Grand Jury testimony all over the world.

A new underground newspaper "THE L. A. STAR" has joined the Free Press in this campaign. Paul Eberle is the editor and Ivan Dryer is an associate editor.



THE COMMISSION ARMED

MARCH SONG #21

Words: Jack Kimbrough
Music: Battle Hymn of
the Republic

Our president John Kennedy went down to Dallas town
Where the hired assassins waited and there they shot him down,
Because he dreamed of peace and plenty and he talked it 'round
His dream goes marching on.

CHORUS: Glory, glory, Hallelujah,
Glory, glory, Hallelujah,
Glory, glory, Hallelujah,
His dream goes marching on.

From the book depository and of course that grassy knoll
And the Dal Tex building's shooter fulfilled his deadly role
The noon day sun was witness as they took their awful toll
His dream goes marching on.

CHORUS

The industrial and military complex can't survive
Without their little horror wars they artfully contrive.
If they push us to the big one then we won't come out alive
His dream goes marching on.

CHORUS

Our President is lying up there cold beneath his flame
He is calling out for vengeance and to do so in his name.
To keep the peace forever and erase our nation's shame
His dream goes marching on.

CHORUS

* * * * *

(Labor Donated)

United States Gov.
WASHINGTON, D.C. 20510
OFFICIAL BUSINESS

WASHINGTON
PM
26 FEB
1968
SAF
707 OK

ROBERT F. KENNEDY
NEW YORK

United States Senate
WASHINGTON, D.C. 20510

February 22, 1968

Mr. Jack Kimbrough
1557 Curran Street
Los Angeles, California

Dear Mr. Kimbrough:

Thank you for your letter of
January 21st and for your thoughtfulness
in sending me your song in honor of
President Kennedy.

On behalf of all the members of
the Kennedy family. I should like to thank
you for the talent you have devoted to
honoring the late President. The respect
for his memory that prompted you to write
"March Song #21" means a great deal to us, and
we join in expressing our appreciation
for your tribute.

With warmest regards,

Sincerely,



Robert F. Kennedy

"JACK KENNEDY"
(Adapted from "Joe Hill")

Jack Kimbrough, 1968

I dreamed I saw Jack Kennedy
Alive as you and me
Says I, but Jack, you're five years dead
I never died, says he.
I never died, says he.

In Dallas, Texas, Jack, says I,
Him standin' by my bed.
They shot you three times, maybe more.
Says Jack, but I'm not dead.
Says Jack, but I'm not dead.

The oil tycoons, they killed you, Jack
They shot you, Jack, says I,
Takes more than guns to kill a man
Says Jack, I did not die.
Says Jack, I did not die.

And standing there as big as life
And smiling with his eyes.
Says Jack, what they can never kill
Is Truth that they despise.
Is Truth that they despise.

From San Diego up to Maine
And all across our land
Jack Kennedy waits, is waiting still
For you to take a stand.
For you to take a stand.

I dreamed I saw Jack Kennedy,
Alive as you and me.
Says I, but Jack, you're five years dead.
I never died, says he.
I never died, says he.
I never died, says he.

(Labor Donated)

JOHN FITZGERALD KENNEDY LIBRARY
INCORPORATED
122 Bowdoin Street, Boston, Massachusetts 02116



JOHN FITZGERALD KENNEDY LIBRARY
INCORPORATED

EUGENE R. BLACK
Chairman of Trustees

April 23, 1968

Dear Mr. Kimbrough:

Senator Robert Kennedy referred your poem dedicated to President Kennedy to this office.

We appreciate your devotion to President Kennedy and have included it in our files with other tributes.

Sincerely,

Mary L. Maloney

Mary L. Maloney
(Mrs. Lawrence E.)
Assistant Administrator

Mr. Jack Kimbrough
1557 Curran Street
Los Angeles, California

"ABC"
TIER BUS



Stamp

LEE HARVEY OSWALD
WORLD'S FIRST CHIN TRANSPLANT

Operation was unsuccessful - chin rejected patient, who soon died. Left photo (before) by Dallas Police, taken on Oswald's arrest. Right photo (after) by "Marina Oswald", et al., made on _____?

This photo was enlarged from Warren Commission Exhibit 133A, showing full figure "Oswald" with "murder weapons" and leftist papers.

(Photo analysis: Fred Newcomb;
Photo source: National Archives)

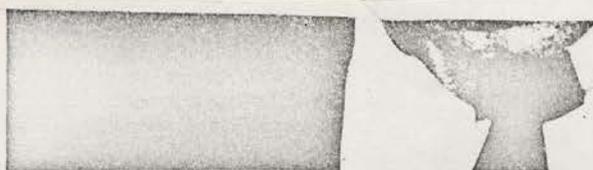
W. Blehr (coincidentally, Police Chief Davis announced the same findings from his "independent" probe the next day).

As reported by the various news media, the press conference at which Busch said he had a multicolored complexion. KNXT's Carl George and others asked questions which received comforting replies such as, "There is no evidence that another gun was involved... credible evidence." He's right. The evidence for a second gun is IN-credible, and pretty compelling!

angles (which produce traveling through the gun barrel). Busch went on to say that rifling angles are "not an accepted ballistics comparison".

However, Mr. Harper, who made his first television appearance on the same news program, stated, "I can find no individual characteristics in common between these two bullets... Since the rifling angle is one of the basic class characteristics, I'm forced to conclude that these two bullets were fired by two different guns."

Harper also examined trial Exhibit No. 55-3, one of three



bullets test fired, according to Busch, "from the gun wrenched from Sirhan's hand." He found that bullet 55-3 matched neither the Kennedy nor Weisel Bullet; "I can find no individual characteristics that would convince me that the bullet from Kennedy's neck was from the same gun that fired this Exhibit 55-3." (The question remains whether Sirhan's gun was ever test fired')

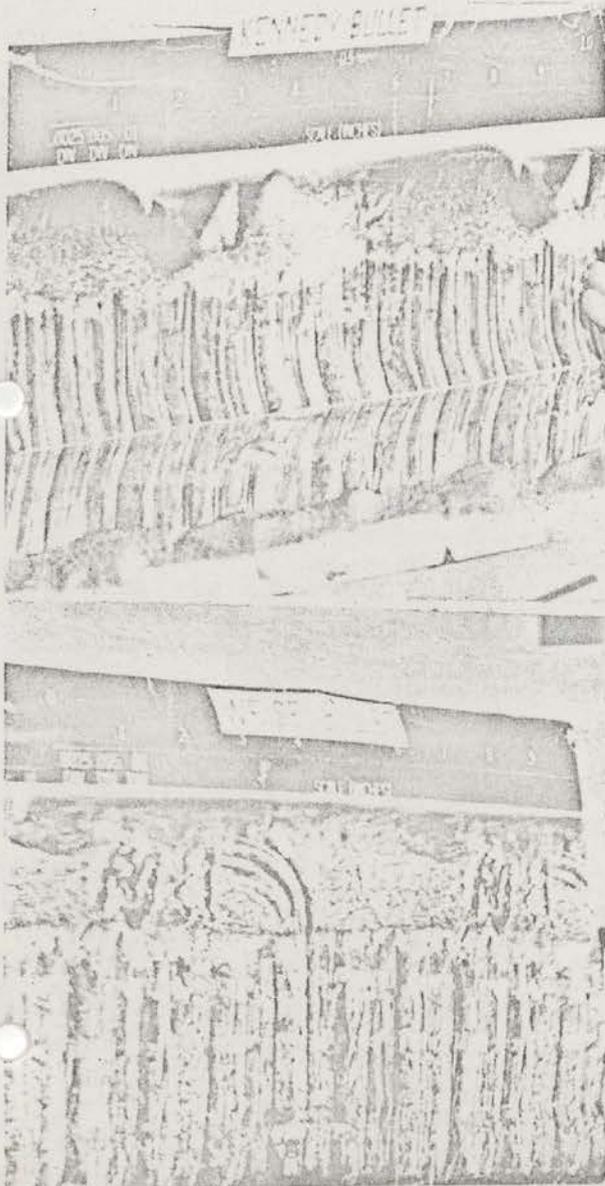
It was because of L.A.P.D. criminalist Wolfer's labeling of the envelope containing the three bullets of Exhibit No. 55-3 that the whole ballistics question arose. Harper noted that Wolfer had listed the serial number of the gun (allegedly Sirhan's) as H18602, whereas that was the number of a similar gun used for other tests. Sirhan's gun bore serial No. H53725. D.A. Busch and Police Chief Davis now contend that the only error Wolfer made was the "clerical error" of putting the wrong serial number on that envelope. Maybe he also put the wrong bullets in it. There is no way of telling for sure because one of the things that Wolfer should have done but didn't do was to take photomicrographs of all the bullets before they were labeled and entered into evidence (Harper took the only photos ever made).

When Busch was asked whether it wasn't a standard procedure for Wolfer to have made all test firings with the alleged murder weapon, he admitted it was. But he said his office decided that subsequent sound level and powder burn pattern tests could be made with a different gun (the No. H18602 referenced above) - this to avoid getting a court order to retrieve Sirhan's gun from the Grand Jury hearings where it had been entered into evidence. Thus, since Wolfer did ask then for the gun to be released, the D.A. himself was responsible for the violation of this ballistics procedure. (The necessity of performing powder burn tests with the suspect's gun, at the place of the shooting, has been

affirmed in an affidavit signed by eight top ballistics experts from around the world.)

The Channel 9 reporter also asked Busch whether the members of the Grand Jury - which recently asserted that the "integrity" of the evidence was now questionable as a result (by inference) of its handling by Harper - had ever seen the exhibits in question. Busch answered that he felt it was unnecessary for them to have seen the bullets in order to determine if they had been in any way altered! (Actually they did see Harper's photomicrographs of the Kennedy and Weisel bullets, along with a good deal of other evidence pointing to a second gun. However, a review in progress of the Grand Jury transcript is revealing, for at least two witnesses, instances of misquoting or deletion of their testimony in the transcript - which may account for its being relatively short. The Star has also learned that the County Clerk's office is investigating possible alterations in testimony related to its handling of evidence. We hope to present more on this in future issues.)

Another embarrassing query for the D.A. dealt with a statement in former Deputy Police Chief Robert A. Houghton's book, "Special Unit Senator", that powder burn tests were performed on June 20, 1968, using Sirhan's gun (Busch had said the gun was unavailable as of June 7). Busch had to answer, "It's not true," admitting Houghton's book was inaccurate on this point. He was further asked whether there might be other such inaccuracies in Houghton's book, an especially relevant question since Houghton claimed all his information was based on police records. Busch said he didn't know. The most telling question/answer related to what Ward and others have been saying since it all started five months ago: simply, why don't you test fire Sirhan's gun now and see what matches and what doesn't? Wouldn't that settle the





WHO KILLED KENNEDY

Dear Governor Reagan:

In the interests of law and order, we URGENTLY request that you comply with the legal extradition of those persons called to testify concerning the murder of John F. Kennedy.

Name _____

Address _____

**SIRHAN DIDN'T HIT ROBERT KENNEDY —
AND YOU CAN PROVE IT!**

SEND FOR YOUR COPY OF THE RFK AUTOPSY REPORT (62 PAGES AT 3¢ PER PAGE) \$1.86 PLUS 30¢ POSTAGE PLUS 9¢ TAX = \$2.25. GRAND JURY TESTIMONY (273 PAGES AT 3¢ PER PAGE) \$8.19 PLUS \$1.00 POSTAGE PLUS 40¢ TAX = \$9.59. YOU PAY COSTS ONLY. LABOR DONATED BY ECHO PARK COMMISSION ON LAW AND ORDER (IT IS UNLAWFUL TO KILL A SENATOR, AND DISORDERLY AS HELL), P.O. BOX 26561, EDENDALE STATION, L.A., CALIF. 90026.

MARCH ON WASHINGTON

WANTED: One opportunistic policeman to make arrests in the Robert F. Kennedy case. This will louse up your career with your agency but it will make you famous as a law man. We were going to conduct citizens' arrests but that wouldn't look right and besides these people are armed and dangerous.

Have someone leave your name and address in an envelope addressed to us at the Freep office and we will send, in plain wrapper, our evidence.

March November 22, 1970

Ausp. Echo Park Commission on Law & order
(It is unlawful to kill a president and disorderly as hell)
P.O. BOX 26561, EDENDALE STATION, L.A. CALIF. 90026
is donated by the Freep

MARCH ON WASHINGTON

Our sources say Sirhan is next.
Shall we save Sirhans' life?

YOU HAVE THAT POWER.

Wire or write the Warden at San Quentin and tell him we don't want Sirhan to die from chemical pneumonia, cancer, hanging by stretch pants holding his breath with a little help from his friend. He missed the Senator - the back up shooters - him.

There are members of Congress who will stand up if you will. **MARCH ON NOVEMBER 22, 1970.**

Ausp. Echo Park Commission on Law & Order
(It is unlawful to kill a president and disorderly)
For charter flight information write:
P.O. Box 26561, Edendale Station, L.A. Calif.

MARCH ON WASHINGTON

We meet at the Lincoln Memorial, 10:00 a.m., Nov. 22, 1970.
Bring posters of:

John F. Kennedy, Malcom X, Martin Luther King, Robert F. Kennedy, Fred Hampton, Ruben Salazar, et al.
Also bring all of your old keys and some red roses. We'll give the keys to the archivist and leave the roses at Arlington. This is the first of an annual memorial service for victims political assassination by the establishment.

March November 22, 1970

Ausp. Echo Park Commission on Law & order
(It is unlawful to kill a president and disorderly as hell!)
P.O. BOX 26561, EDENDALE STATION, L.A. CALIF. 90026.

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A Public Hearing of Evidence
In the Conspiracy Murder of

ROBERT F. KENNEDY

Theodore Charach, T.V. Newsman, Will Testify

CHANNING HALL

2936 W. 8th Street
Los Angeles, California

Saturday, April 10 8pm

DONATION: \$2.00 STUDENTS: \$1.00

Proceeds to: Echo Park Commission on Law & Order
(It Is Unlawful to Kill a Senator and It Is Disorderly As Hell)
ALSO

A Re-enactment of the Shooting as Described by Eye Witnesses

BRING VALID IDENTIFICATION TO ALL EVENTS

AUSPICES: Echo Park Commission on Law & Order
(it is unlawful to kill a president and disorderly as hell)
P.O. Box 26561, Los Angeles, Calif. 90026

All Warren Commission critics get yourselves together
and MARCH NOV. 22, 1970.

The Industrial-Military Complex will kill again, unless we protect our leaders. President Kennedy, Malcolm X, Martin Luther King, Robert Kennedy and a host of others, (they live) went down without a congressional enquiry. Those guns are still there, force congress to investigate.

MARCH ON WASHINGTON

MARCH ON WASHINGTON

In Oct of 1963 President Kennedy ordered a complete withdrawal from Viet Nam. They shot him for his trouble one month later. If they are really going to withdraw it is because our economy is going down the tubes. Now because they want to.

They will continue the liquidation of our leadership in any event. Protect your leaders.

March on Nov. 22, 1970 and force congress to investigate the political assassinations of John F. Kennedy, Martin Luther King, Robert F. Kennedy, Ruben Salazar and those of lesser celebrity.

There are members of Congress who will stand up if you will. **MARCH ON NOVEMBER 22, 1970.**

Ausp. Echo Park Commission on Law & Order
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Angeles Free Press

MARCH ON WASHINGTON

Let's offer James Earl Ray a deal:

A full pardon if he sings.

Wire or write Governor Buford Ellington
Nashville, Tennessee

Any publishers interested in his book?

Mort Sahl, we need you!

Stop the slaughter of our best leaders.

MARCH ON NOV 22, 1970

There are members of Congress who will stand up if you will. **MARCH ON NOVEMBER 22, 1970.**

Ausp. Echo Park Commission on Law & Order
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For charter flight information write:

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Jim Garrison's Book

"A Heritage Of Stone"

IS AVAILABLE AT THE PICKWICK BOOKSHOPS
Compliments: Echo Park Commission on Law and Order

Dear Mr. Kimbrough - I was not present at the particular Grand Jury hearing to which you refer, as it was in August and I was on vacation; therefore, I cannot be of much help to you. I am sorry.

May 11, 1972

S. Young
6/9/72

Ms. Sue K. Young
c/o Los Angeles Times
Los Angeles, California

Dear Ms. Young:

I, along with Lillian Costellano, and Floyd Nelson, testified before the 1971 Grand Jury in the matter of the County Clerk's Office. When we were able to read the transcript we found sections deleted, altered or rearranged.

Let me refresh your memory if you've forgotten: we have, principally because of Mrs. Costellano's efforts, established irrefutably, that there was a conspiracy in the killing of Robert F. Kennedy. Our evidence, for the most part, is taken from the autopsy report, Grand Jury testimony and Mr. William Harper's ballistics inquiry. I ask you to remember that Mr. Harper gained access to that evidence by court order obtained by Mr. George Shibley, one of the defense counsels of record. There was nothing covert about it. The access was by Court Order. The District Attorney's office would have you believe that Mr. Harper, by stealth and wile and skulking about, handled and perhaps, mishandled, the bullets. It was by Court Order.

The exhibits that Mrs. Costellano submitted contained this evidence.

What is at issue in this killing is not just the death of a man but the relevancy of our vaunted democratic system. And this issue is transcendental. If only certain officials are permitted to survive in office or certain candidates permitted to survive their candidacy then all other issues are secondary. What problem can be solved, what conflicts resolved, if the officials we choose or would choose for that purpose are annihilated?

Time must stop here until we stop this selective killing at home and the gross killing abroad.

We would like to talk to you about it and how it might be done.

Best wishes,

Jack Kimbrough

Jack Kimbrough

1557 Curran Street
Los Angeles, California 90026
NO 5-3824

FOR CYNICS ONLY

Thomas Reddin, Los Angeles Police Chief during the investigation of the Sirhan case became chief commentator of Channel 5 TV news and received \$150,000 per year. That is not bad for an amateur announcer. He was only getting \$28,000 as a professional policeman.

David Fitts, prosecutor in the Sirhan trial was appointed Judge of the California Superior Court.

Lynn Compton, prosecutor in the Sirhan trial was appointed a Judge of the California Appeals Court.

Joseph Busch, Chief Deputy District Attorney was an interim appointment to the post of District Attorney.

Evelle Younger was sworn in as Attorney General of the State of California by Appellate Judge Lynn Compton.

Robert Houghton, in charge of the investigation of the Robert Kennedy murder was appointed by Attorney General Evelle Younger, Deputy Director of the Attorney General's Office, Division of Law Enforcement.

REVELATION IN SAN QUENTIN

Sirhan's appeal attorney has known about this evidence for some time but in his wisdom he chose not to employ it in his client's interest.

Kirchke's appeal attorney, probably an impetuous and impulsive man and acting out of ignorance, requested and was granted an evidentiary hearing on this evidence.

Sirhan suddenly dumped his lawyer and hired Kirchke's.

So long Luke!

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT
DIVISION ONE

In re

JACK KIRSCHKE
on Habeas Corpus.

Criminal No. 22007

COURT OF APPEALS - SECOND DISTRICT

5 11 15 10

JUL 28 1972

CLAYTON LINDS, CLERK

ORDER TO SHOW CAUSE

THE COURT:

TO: BERTRAM S. GRIGGS, SUPERINTENDENT, CALIFORNIA INSTITUTION
FOR MEN, CHINO, CALIFORNIA

Petitioner's appeal from a judgment of conviction of first degree murder was calendared for argument in this court on June 27, 1972. On June 23, 1972, petitioner filed his petition for writ of habeas corpus in the Supreme Court. The appeal was argued as calendared on June 27, 1972. On June 29, 1972, the Supreme Court entered its order transferring the petition for writ of habeas corpus to us "for consideration in conjunction with the appeal." While petitioner is confined at California Institution for Men, Chino, California, we treat the transfer of the petition from the Supreme Court as empowering us to exercise the power of that court thus granting us territorial jurisdiction in the matter. (Cal. Const., art. VI, § 10.)

Review of the petition for writ of habeas corpus discloses no reason for deferring action upon the appeal also pending in this court. Accordingly, we file our opinion in the appeal

concurrently with this order. The petition, however, does allege sufficient grounds for the issuance of an order to show cause so that there may be an evidentiary hearing upon petitioner's allegation that his conviction was obtained by "the knowing use of perjured testimony." We therefore issue our order to show cause as follows:

Good cause appearing on the face of the petition for writ of habeas corpus filed by petitioner with the Supreme Court of California on June 23, 1972, and transferred to this court on June 29, 1972, you are ordered to appear before the Superior Court of Los Angeles County at such time and place as that court may direct and show cause why the petitioner should not be granted the relief sought in that petition.

CATALOGUE

(with commentary and diagrams)

RFK Autopsy Report

162 pages - 5¢ per page

RFK Grand Jury Testimony

273 pages - 5¢ per page

Prices include mailing cost.

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